

Michael Sundblom
Air Quality Director



July, 7 2020

Mr. John Busterud, Regional Administrator
U.S. Environmental Protection Agency, Region IX
Mail Code ORA-1
75 Hawthorn Street
San Francisco, CA 94105

c/o Misael Cabrera, Director of Arizona Department of Environmental Quality
c/o Daniel Czecholinski, Director Air Quality Division
1110 W. Washington
Phoenix, AZ 85007

Re: Submittal of Proposed Revision to the Arizona State Implementation Plan: Annual Emissions
Inventory and Emissions Statement (§3-1-103)

Dear Mr. Busterud:

Pursuant to Resolution No. 070120-AQ1 as adopted by the Pinal County Board of Supervisors on July 1, 2020, I convey a requested revision to certain rules that comprise the Pinal County portion of the Arizona State Implementation Plan. This submittal proposes SIP-approval for several revisions to PCAQCD Code of Regulations §3-1-103 within Pinal County.

If you have any question, please contact me at the number shown below or Scott DiBiase at (520)866-6969.

Sincerely,

Michael Sundblom
Director
Pinal County Air Quality Control District
(520)866-6915

AIR QUALITY

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 - n. Affidavit of Publication – Florence Reminder & Blade-Tribune and Casa Grande Dispatch, Public Notice, Proposed Rulemaking, Board of Supervisors Public Hearing. Published on May 21, 2020.
 - o. Posting Certification of Notice, Public Notice Proposed Rulemaking, Board of Supervisors Public Hearing – July 1, 2020, Signed by Tanya Fields, Senior Administrative Assistant, Pinal County Air Quality Control District.
 - p. Govdelivery bulletin sent out to Rulemaking Stakeholders May 20, 2020, 2:11 p.m. - Pinal County Air Quality rulemakings – Public Notice Board of Supervisors Public Hearing July 1, 2020. Emailed
 - q. Screenshot showing posting dates of NPR and Public Notices (public comment period and Board of Supervisors Public Hearing).
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 - b. Pinal County Board of Supervisors Regular Session Action Summary, Wednesday, July 1, 2020.
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- a. “SIP Submittal” checklist.
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2. Legal Adoption Authority



OFFICE OF THE PINAL COUNTY ATTORNEY

M E M O R A N D U M

To: Concerned Citizens
From: Kevin Costello, Deputy County Attorney– CIVIL DIVISION
Date: July 9, 2020
Subject: Authority to Adopt Resolution No. 070120-AQ1

Subject to Compliance with the statutorily required mechanics-of-adoption, the Pinal County Board of Supervisors has specific authority to adopt and implement rules to control the release into the atmosphere of air contaminants originating within the territorial limits of the County.

Authority to Adopt Rules

Subject to certain procedural requirements, the Pinal County Board of Supervisors has authority to adopt "such rules as it determines are necessary and feasible to control the release into the atmosphere of air contaminants originating within the territorial limits of the County". A.R.S. § 49-479(A) (1994). The statutory prerequisites include a requirement for a statutorily defined public process prior to adoption. See A.R.S. § 49-471.01, *et seq.* (2018). The statutory prerequisites include a requirement for a justification for rules that are more stringent than those of the Arizona Department of Environmental Quality. See A.R.S. § 49-112(A), (2017). The statutory prerequisites include a limitation that the fee or cost for any permit or approval must not exceed the fee or cost of obtaining a similar permit or approval from the Arizona Department of Environmental Quality. See A.R.S. §§ 49-112(A) and (B), (2017).

Authority to Implement Rules

In addition, the Board of Supervisors has authority to authorize a department to carry out the necessary investigations, inspections and enforcement of any rules adopted pursuant to prevailing statutory authority. See A.R.S. §§ 49-473(B) (1987), 49-502 (1991), 49-510 (1993), 49-511 (2002), 49-512 (1993), 49-513 (1993), 49-514 (1993) and 49-515 (1993).

Authority to Adopt and Implement Resolution No. 070120-AQ1

In the case of Pinal County Board of Supervisors Resolution No. 070120-AQ1, the recitations in the resolution recite compliance with statutory notification requirements for adoption.

The underlying public notice, published on the County's website on March 18, 2020 explains in Section 1.A that On December 6, 2018, EPA published a final implementation rule for the 2015 ozone NAAQS. One of the requirements for marginal nonattainment areas is related to an emissions statement (Clean Air Act Section 182(a)(3)(B)). The EPA final implementation rule requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area (August 3, 2020).

Since the adopted rule does not directly impose or establish a fee, the statutory limits on fee-imposition do not apply.

Therefore, on behalf of the Office of the Pinal County Attorney, I conclude that the Pinal County Board of Supervisors had authority to adopt, and has continuing authority to implement the rule revisions embodied in Resolution No. 070120-AQ1.

3. Clean Copy of SIP Changes

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

CODE OF REGULATIONS

“CLEAN COPY”

AS AMENDED JULY 1, 2020

PREPARED BY

AIR QUALITY CONTROL DISTRICT STAFF

3-1-103. Annual emissions inventory questionnaire and emissions statement

A. Emissions Inventory Questionnaire and Emissions Statement Requirements

1. Each Class 1, Class II or Class III source subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
2. The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
 - a. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
 - c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
 - i. Any single regulated air pollutant in a quantity greater than one ton.
 - ii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
 - d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
3. An Amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additionally payment be made or shall apply an amount as credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.
5. The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NO_x or VOC if the NO_x or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
 - a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.

- b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
- c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
- d. When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
- e. When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).
- f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

4. Strikeout Copy of SIP Changes

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

CODE OF REGULATIONS

“STRIKEOUT COPY”

AS AMENDED JULY 1, 2020

PREPARED BY

AIR QUALITY CONTROL DISTRICT STAFF

3-1-103. Annual emissions inventory questionnaire and emissions statement

A. Emissions Inventory Questionnaire and Emissions Statement Requirements

- A1. Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement ~~is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- B2. The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
- 1a. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - 2b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
 - 3c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
 - ai. Any single regulated air pollutant in a quantity greater than one ton.
 - bii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
 - d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.
- C5. ~~The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission of data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~
The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NOx or VOC if the NOx or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved

emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
 - a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.
 - b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
 - c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
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 - f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

5. Public Notice

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Rulemaking

Current Rulemaking (select to view)

[Proposed Rule Amendments to Pinal County Air Quality Control District \(PDAQCD\) code, namely \(§3-1-103 – Annual Emissions Inventory Questionnaire\).](#) (posted online 3/18/20)

Previous Rulemakings (select to view)

What is the Rulemaking Process?

The rulemaking process is designed to ensure that the:

1. Public is informed of proposed rules before they take effect;
2. Public can comment on the proposed rules and provide additional information;
3. Public can access the rulemaking record and analyze the data and analysis behind a proposed rule;
4. Agency responds to the public's comments;
5. Agency creates a permanent record

Notice of Proposed Rulemaking

Once the proposed rule is developed, PDAQCD will post the proposed rulemaking online (on this webpage). PDAQCD will also publish notice of the proposed rulemaking in the local newspaper.

Public Comment

Once a proposed rule is posted online, a public comment period begins, allowing the public to submit written comments to PDAQCD. The public comment period is at least 30 days from the date of the posting of the proposed rulemaking online.

Formal Stakeholder Meetings

During the comment period, PDAQCD will schedule stakeholder meetings to discuss the rule and accept formal comments.

Oral Proceeding

Oral proceedings are held for the purpose of providing the public with an opportunity to make oral presentations concerning proposed new rules and/or amendments to rules or repeal of rules. The comment period ends at close of business of the oral proceeding day. All comments made, either verbally or in writing, during the oral proceeding or during the comment period are considered formal comments.

Board of Supervisor (BOS) Hearing

At the hearing, PDAQCD submits a rule package to the board for approval. The rulemaking package includes the proposed rule, public comments, PDAQCD's response to comments, and reasons for any changes to the proposed rule. The BOS hearing is open to the public. During the hearing, PDAQCD presents the rule package and the board allows for public questions, oral presentations of arguments, data and views on the proposed rule. After adoption by the BOS the rule will become effective on the date of adoption, unless the board specifies a later date.

Notice of Final Rulemaking

After the BOS approves the rule, PDAQCD will post the notice of final rulemaking online.

Becoming a Stakeholder Participant

Stakeholder Definition: A person or group having an interest in the rulemaking process.

In order to exercise your right to comment, you must first know what rules are being developed, when the stakeholders are meeting, when the proposed rule comment period begins, and many other details of the rulemaking process.

Air Quality

31 N Pinal Street
Building F
Florence, AZ 85132

Office: 520.866.6929
Fax: 520.866.6967
AirQuality@pinalcountyaz.gov

To keep updated on this type of information, there are a couple of ways to learn what is going on with regulatory development within PCAQCD. You may check your local newspaper legal notices for announcements with regards to PCAQCD's proposed rules and permits. These notices will indicate the comment period, location of any public meetings, and PCAQCD's specific contact for additional information. You may also contact PCAQCD directly and ask to be included as a stakeholder for any and all rulemakings. Comments are excepted through U.S. mail, fax, or e-mail.

Mailing Address: PO Box 987, Florence, AZ 85132

Fax: (520) 866-6967

Email: airquality@pinalcountyz.gov

Direct Phone #: (520) 866-6929

Pinal County Government

31 N. Pinal Street
Florence, AZ 85132
520.509.3555 (Local)
888.431.1311 (Toll Free)

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Rulemaking Summary

Rulemaking - Pinal County Air Quality has developed proposed rule amendments to Pinal County Air Quality Control District (PCAQCD) code, namely (§3-1-103 – Annual Emissions Inventory Questionnaire). The proposed amendments are due to the 2015 update to the ozone National Ambient Air Quality Standards (NAAQS) and the Clean Air Act (CAA) Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore this proposed rulemaking is a State Implementation Plan (SIP) rulemaking and so PCAQCD code §1-1-105 (non-SIP rule) is also proposed to be amended to incorporate the update of §3-1-103 (SIP rule) and the request that Arizona Department of Environmental Quality (ADEQ) submit the amended rules to EPA for inclusion into the Arizona SIP.

Combined Notice of Proposed Rulemaking and Oral Proceeding

[Combined Notice of Proposed Rulemaking and Oral Proceeding for amended rules §3-1-103.](#) (posted online 3/18/20)

Public Notice for Stakeholders Meeting(s), Oral Proceeding and Public Comment Period

[Public notice](#)

Public Comment Period Begins

March 18, 2020

Public Comment Period Ends

Close of Business May 12, 2020

Stakeholders Meeting(s)

- Meeting
 - Date: May 5, 2020
 - Time: 11 a.m.
 - Location: 31 N. Pinal St., Building F., Ocotillo Room, Florence, AZ.
 - Presentations will be posted prior to meeting

Oral Proceeding

May 12, 2020

11 a.m.

31 N. Pinal St., Florence, AZ.. Building F, Ocotillo room.

Public Notice for BOS Public Hearing

To be posted at a later date

BOS Public Hearing

- Date: TBD
- Time: 9:30 a.m.
- Location: Pinal County Board of Supervisors Hearing Room 135 N. Pinal St., Florence, AZ. 85132
- Agenda - posted prior to BOS Public Hearing

Notice of Final Rulemaking

To be posted at a later date

Pinal County Government

31 N. Pinal Street
 Florence, AZ 85132
 520.509.3555 (Local)
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Posted 4/10/20 -

For the proposed rule amendments related to §3-1-103 – Annual Emissions Inventory Questionnaire

Due to the COVID-19 social distancing, the stakeholder meeting and Control Officer Oral Proceeding scheduled for May 5th and May 12th respectively are going to be held virtually, see information below.

Stakeholder Meeting - May 5, 2020 at 11 a.m.Google Hangouts Meeting link (audio and video) - <https://meet.google.com/qnz-ibqn-pxb?hs=122>

or by Phone - (402)855-5283, PIN: 239 972 797#

Oral Proceeding - May 12, 2020 at 11 a.m.Google Hangouts Meeting link (audio and video) - <https://meet.google.com/bdh-mvub-vjh>

or by Phone - (904)580-9186 PIN: 722 238 060#

Comments and/or questions can be sent to Scott DiBiase at scott.dibiase@pinal.gov.

Thank you,

Pinal County Air Quality

Rulemaking Summary

Rulemaking - Pinal County Air Quality has developed proposed rule amendments to Pinal County Air Quality Control District (PCAQCD) code, namely (§3-1-103 – Annual Emissions Inventory Questionnaire). The proposed amendments are due to the 2015 update to the ozone National Ambient Air Quality Standards (NAAQS) and the Clean Air Act (CAA) Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore this proposed rulemaking is a State Implementation Plan (SIP) rulemaking and so PCAQCD code §1-1-105 (non-SIP rule) is also proposed to be amended to incorporate the update of §3-1-103 (SIP rule) and the request that Arizona Department of Environmental Quality (ADEQ) submit the amended rules to EPA for inclusion into the Arizona SIP.

Combined Notice of Proposed Rulemaking and Oral Proceeding[Combined Notice of Proposed Rulemaking and Oral Proceeding for amended rules §3-1-103.](#) (posted online 3/18/20)**Public Notice for Stakeholders Meeting(s), Oral Proceeding and Public Comment Period**[Public notice](#)**Public Comment Period Begins**

March 18, 2020

Public Comment Period Ends

Close of Business May 12, 2020

Stakeholders Meeting(s)

- Meeting
 - Date: May 5, 2020
 - Time: 11 a.m.
 - Location: 31 N. Pinal St., Building F., Ocotillo Room, Florence, AZ.
 - Presentations will be posted prior to meeting

Oral Proceeding

May 12, 2020

11 a.m.

31 N. Pinal St., Florence, AZ.. Building F, Ocotillo room.

Public Notice for BOS Public Hearing

To be posted at a later date

BOS Public Hearing

- Date: TBD

- Time: 9:30 a.m.
- Location: Pinal County Board of Supervisors Hearing Room 135 N. Pinal St., Florence, AZ. 85132
- Agenda - posted prior to BOS Public Hearing

Notice of Final Rulemaking

To be posted at a later date

Comments/questions can be submitted to scott.dibiase@pinal.gov

Pinal County Government

31 N. Pinal Street
Florence, AZ 85132
520.509.3555 (Local)
888.431.1311 (Toll Free)

[Pinal County Government Web Disclaimer](#)

To keep updated on this type of information, there are a couple of ways to learn what is going on with regulatory development within PCAQCD. You may check your local newspaper legal notices for announcements with regards to PCAQCD's proposed rules and permits. These notices will indicate the comment period, location of any public meetings, and PCAQCD's specific contact for additional information. You may also contact PCAQCD directly and ask to be included as a stakeholder for any and all rulemakings. Comments are excepted through U.S. mail, fax, or e-mail.

Mailing Address: PO Box 987, Florence, AZ 85132

Fax: (520) 866-6967

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[Pinal County Government Web Disclaimer](#)



PINAL COUNTY

Pinal County Air Quality Control District

**§3-1-103. Annual Emissions Inventory Questionnaire and
Emissions Statement**

Combined

Notice of Proposed Rulemaking

Pursuant to A.R.S. §§49-112 and 49-471.01 et. Seq.

AND

Notice of Oral Proceeding

Pursuant to A.R.S. §49-471.06

Pinal County Air Quality Control

March 18, 2020

Published online at

<http://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx>

On March 18, 2020

Start of Public Comment Period: March 18, 2020

End of Public Comment Period: May 12, 2020

1. Preamble

- A. The Pinal County Air Quality Control District (PCAQCD), an operating division of Pinal County, proposes that the Board of Supervisors (BOS) adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution.

Background – 2015 Ozone National Ambient Air Quality Standard (NAAQS)

In 2015, EPA revised the eight-hour ozone health based standard NAAQS from 0.075 to 0.070 parts per million. On June 4, 2018, EPA published a final rule which designated the Maricopa/Pinal nonattainment area as a Marginal Area for the 2015 eight-hour ozone NAAQS with an attainment date of August 3, 2021. The boundaries of the ozone nonattainment area for the 2015 ozone standard were expanded slightly (from the 2008 ozone NAAQS nonattainment area boundary) to the northeast and southeast to include the Tonto National Monument monitor in Gila County and the Queen Valley monitor in Pinal County. The new eight-hour ozone nonattainment area boundary encompasses 5,287 square miles. The Pinal County portion of the ozone nonattainment area is approximately 295 square miles and includes Apache Junction, Gold Canyon and portions of San Tan Valley (Figure 1).

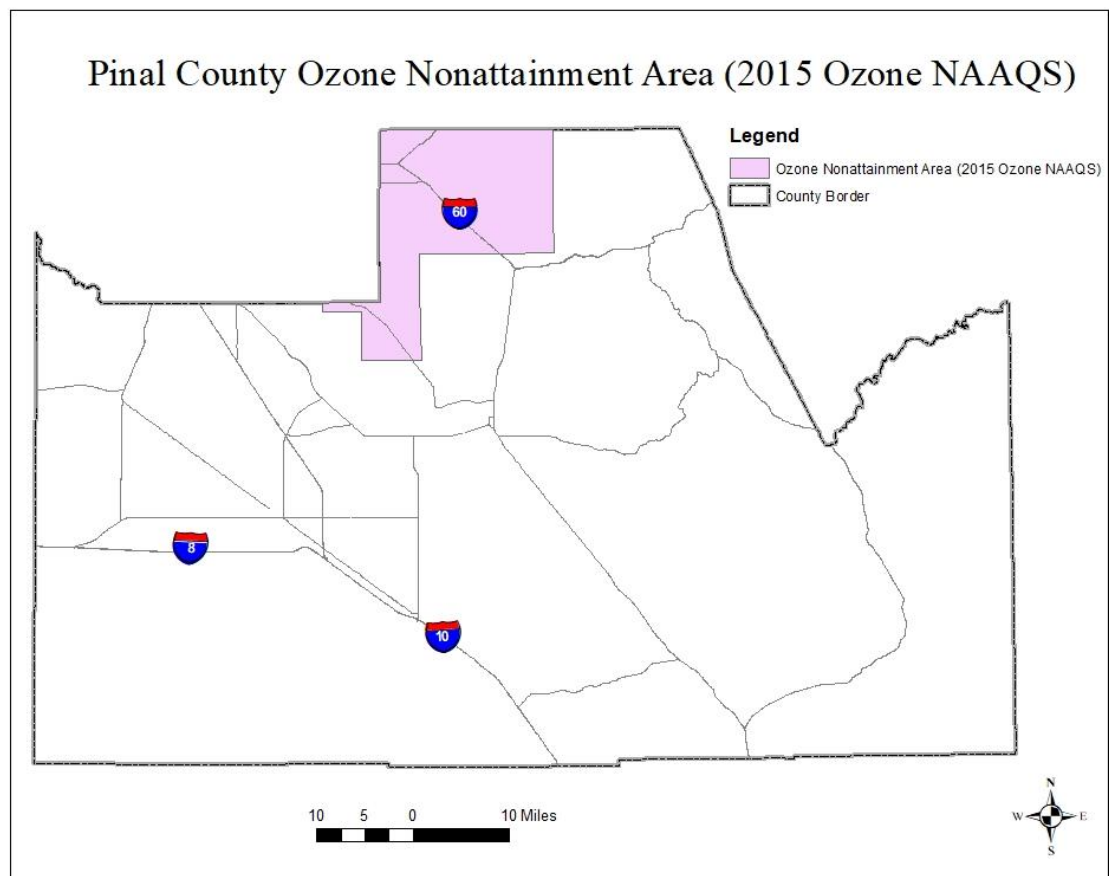


Figure 1. Pinal County portion of 2015 Ozone NAAQS Nonattainment Area

On December 6, 2018, The Environmental Protection Agency (EPA) published a final rule on the Implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 Federal Register 62,993). EPA assumes Marginal Areas will be in attainment of the ozone NAAQS within three years of designation without any additional control measures. However, the Clean Air Act (CAA) has the following requirements for Marginal eight-hour ozone nonattainment areas:

- An Emissions Statement – CAA Section 182(a)(3)(B)
- A Baseline Emissions Inventory – CAA Section 182(a)(1)
- A Periodic Emissions Inventory, No later than every three years until attainment of the standard – CAA Section 182(a)(3)(A)
- Corrections to the State Implementation Plan – CAA Section 182(a)(2)
- New Source Review – CAA Title I, Part D
- Offset Requirements – 1.1 to 1 (Ratio of Total Emissions Reductions of Volatile Organic Compounds to Total Increased Emissions) – CAA Section 182(a)(4)
- Meet Transportation Conformity Requirements – CAA Section 176(c)

An Emissions Statement – CAA Section 182(a)(3)(B)

As described in the CAA Section 182(a)(3)(B), the State is required to submit a revision to the Arizona State Implementation Plan (SIP) that requires the owner or operator of each stationary source of nitrogen oxides or volatile organic compounds to provide the State with a statement showing the actual emissions of nitrogen oxides or volatile organic compounds from that source. The EPA final rule on implementation of the 2015 ozone NAAQS requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area. A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore the revised emissions statement regulation for the Pinal County portion of the Phoenix ozone NAA is due to EPA by August 3, 2020. Thus necessitating this proposed State Implementation Rule (SIP) rulemaking.

The proposed amended rules are identified below and include an amendment to §1-1-105 (not to be included with the SIP submittal) with the ultimate goal of this proposed SIP rulemaking, to gain the Pinal County Board of Supervisor's approval of revised rule §3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement along and a request that the Arizona Department of Environmental Quality (ADEQ)

submit the adopted rule §3-1-103 to EPA with the request that it be included in the Arizona SIP.

The remaining marginal area requirements (baseline emissions inventory, periodic emissions inventory, corrections to the state implementation plan, New Source Review, Offset Requirements and transportation conformity) will be addressed in the Maricopa Association of Government's 2020 Eight-Hour Ozone Plan – Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area and as such are not part of this proposed rulemaking.

Section Affected

Rulemaking Action

§1-1-105. SIP List..... Amend
§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement Amend

B. Those wishing further information regarding any aspect of this proposal may contact Scott DiBiase, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 85132, 520-866-6929, scott.dibiase@pinal.gov. To the extent possible, the District will also post information on the County's website pinalcountyaz.gov, under the "air quality" link.

C. The rulemaking process will consist of an initial administrative rule development process, including this notice, a 30 day public comment period, a stakeholder meeting and an oral proceeding before the Control Officer or his designee. The dates and locations for the stakeholder meeting and oral proceeding are set forth below. Written comments are due prior to the close of the comment period, which shall be the close-of-business on the day of the oral proceeding. The final step in the rule adoption process will be a hearing before the Board of Supervisors. The Board of Supervisors hearing will be separately scheduled and noticed in accord with A.R.S. §49-479, and, where applicable, the requirements of 40 C.F.R. §51-102

D. The proposed rule revisions include the following:

1. Revision of §1-1-105 to include the amended date for §3-1-103. §1-1-105 is a list designating which Board approved rules (and their corresponding adoption dates) are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP. PCAQCD rule §1-1-105 is not to be included in the SIP submittal.

2. Proposed changes to §3-1-103

§3-1-103.A – Emissions Inventory Questionnaire and Emissions Statements Requirements – Proposed addition of new section which details the requirements of the annual emissions inventory questionnaire and emissions statements.

§3-1-103.A.1 – Proposed addition of clarifying language defining what sources are subject to the emissions inventory questionnaire and emissions statement requirements, namely Class I (Major sources/Title V's), Class II or Class III (minor/area sources such as gas stations and surface coating facilities) and the frequency by which they are to report (each year).

§3-1-103.A.2 – Proposed addition of clarifying language which details the electronic or paper format for the emissions inventory questionnaire and emissions statement. Additionally, proposed new language to define what time period the emissions sources are reporting for (i.e. for the previous calendar year). Proposed new language referencing regulated air pollutants along with a new subsection (B) which details the emissions estimation methodology used to measure, calculate or estimate the actual annual quantity of emissions. Proposed new language on the certification, by a responsible official of the truth, accuracy, and completeness of the submitted emissions inventory questionnaire and emissions statement, pursuant to CAA Section 182(a)(3)(B).

§3-1-103.A.3 – Proposed new subsection to address what constitutes the need for a source to do an amendment to its annual emissions inventory questionnaire (when a source discovers or receives notice that incorrect or insufficient information was submitted originally) and when such an amendment is to be turned in (within two years of the original submittal). Proposed new language as to the source's potential fee change (increase or credit) due to the change in the emissions inventory questionnaire. Proposed new language regarding not subjecting the emissions source to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information wasn't due to will neglect.

§3-1-103.A.4 – Proposed new subsection adding the option for the Control Officer to require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to Arizona State Revised Statutes related to monitoring (A.R.S. §49-476.01), Federal Hazardous Air Pollutant Program (A.R.S. §49-480.03) and County Program for Control of Hazardous Air Pollutants (A.R.S. §49-480.04).

§3-1-103.A.5 – Pursuant to CAA Section 182(a)(3)(B)(ii) proposed addition of subsection that gives the Control Officer (with EPA approval) the capability of waiving the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons per year of NOx or VOC, if the class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP emissions inventories (actual emissions calculated with EPA-approved emissions factors or other methods acceptable to EPA).

§3-1-103.B – Emissions Estimation Methodology

Proposed addition of subsection B – which details the methods at which sources shall quantify actual emissions (i.e. continuous emissions monitors, source performance tests, emissions factors such as AP-42, emissions factors from material balance, etc.).

- E. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study (See contact information in subsection B above), all data underlying each study, and any analysis of each study and other supporting material.

None

F. Economic, small business and consumer impact statement

The following discussion addresses each of the elements required for an economic, small business and consumer impact state under A.R.S. §41-1055.

This rulemaking is proposing to amend Chapter 3, Article 1, Section 103, Annual Emissions Inventory Questionnaire and Emissions Statement.

The probable costs to the implementing agency (Pinal County Air Quality) will be minimal since the department already conducts annual emissions inventory questionnaires for all permitted facilities. The low Pinal County Air Quality permitting threshold (1 ton per year (5.5 lbs/day)) encompasses virtually all industrial/commercial polluting (from an air quality emissions perspective) activities within Pinal County. Therefore all of the facilities permitted by Pinal County Air Quality have been reporting their respective estimated emissions annually (semi-annually in many cases) since the original adoption of rule §3-1-103 in November, 1993. This rulemaking proposal and the addition of the federally required emissions statement is not expected to add any new costs to businesses in Pinal County as they have already built in the annual (and semi-annual) reporting requirements into their normal business practices.

G. After Pinal County Board of Supervisor approval, the proposed changes will take effect on the date of the BOS meeting.

H. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources at this time.

I. Persons may obtain a full copy of the proposed rules or existing rules at:

Pinal County Air Quality Control District
31 North Pinal St., Building F.
P.O. Box 987
Florence, AZ. 85132

<http://www.pinalcountyz.gov/AirQuality/Pages/home.aspx>

J. A list of all previous notices related to this proposed rulemaking:

None

K. Date, time and location of scheduled stakeholder meeting and oral proceeding:

1) Stakeholder meeting

Date: May, 5, 2020

Time: 11 a.m.

Location: 31 N. Pinal St., Florence, AZ. Building F, Ocotillo Room

2) Oral Proceeding

Date: May, 12, 2020

Time: 11 a.m.

Location: 31 N. Pinal St., Florence, AZ. Building F, Ocotillo Room

Nature of meeting: Oral proceeding before the Control Officer or his designee in accord with A.R.S. §49-471.06(C) to consider public comments upon any or all of this proposal.

2. The full text of the proposed changes follows:

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

1. Chapter 1

- a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
- b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
- c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")

2. Chapter 2

- a. Article 1. (As amended 10/12/95).
- b. Article 2. (As amended 5/14/97), excluding:
 - i. §2-2-090 (as amended 5/14/97)
- c. Article 3. (As amended 10/12/95).
- d. Article 4. (As amended 10/12/95).
- e. Article 5. (As amended 10/12/95).
- f. Article 6. (As amended 10/12/95).

- g. Article 7. (As amended 10/12/95).
 - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
3. Chapter 3
- a. Article 1. (As amended 5/14/97, ~~and 5/27/98, and 7/12/00, and ##/##/20~~), excluding:
 - i. §3-1-020
 - ii. §3-1-045
 - iii. §3-1-080
 - iv. §3-1-100
 - v. §3-1-150 (as amended 5/14/97)
 - vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - d. Article 8. (As amended 10/12/95 and 10/27/04).
4. Chapter 4
- a. Article 1. (As amended 2/22/95).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)
 - iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. §4-9-320 (As amended 6/3/09)
 - ii. §4-9-340 (As amended 6/3/09)
5. Chapter 5
- a. Article 13. (as amended 11/30/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
 - a. Article 20. (as amended 11/30/16)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
- 1. "construction," as defined in Nov. '93 Code §1-3-140.28; or

2. "modification," as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 4. Operate as an element of the SIP, at least insofar as they require a "certification";
 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
 3. Chapter 3, Article 8 (2/22/95) *Open Burning*
 4. [Reserved]
 5. [Reserved]
 6. [Reserved]
 7. [Reserved]
 8. [Reserved]
 9. [Reserved]
 10. [Reserved]
 11. [Reserved]
 12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*

13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*

3-1-103. Annual emissions inventory questionnaire and emissions statement

A. Emissions Inventory Questionnaire and Emissions Statement Requirements

- ~~A1.~~ Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement ~~is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- ~~B2.~~ The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
 - ~~1a.~~ The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - ~~2b.~~ Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
 - ~~3c.~~ The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
 - ~~ai.~~ Any single regulated air pollutant in a quantity greater than one ton.
 - ~~bii.~~ Any combination of regulated air pollutants in a quantity greater than 2½ tons.
 - ~~d.~~ A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever

it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.

4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.

- ~~C5. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~

The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NO_x or VOC if the NO_x or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
 - a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.
 - b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
 - c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
 - d. When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
 - e. When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).

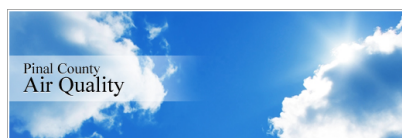
- f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

Pinal County Air Quality Proposed Rulemaking - Annual Emissions Inventory Questionnaire (3-1-103)

1 message

Pinal Air Quality <PinalAQ@public.govdelivery.com>
Reply-To: PinalAQ@public.govdelivery.com
To: scott.dibiase@pinalcountyaz.gov

Wed, Mar 18, 2020 at 7:30 AM



RULEMAKING

Dear Stakeholders,

Pinal County Air Quality has developed proposed rule amendments to Pinal County Air Quality Control District (PDAQCD) code, namely (§3-1-103 – Annual Emissions Inventory Questionnaire). The proposed amendments are due to the 2015 update to the ozone National Ambient Air Quality Standards (NAAQS) and the Clean Air Act (CAA) Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore this proposed rulemaking is a State Implementation Plan (SIP) rulemaking and so PDAQCD code §1-1-105 (non-SIP rule) is also proposed to be amended to incorporate the update of §3-1-103 (SIP rule) and the request that Arizona Department of Environmental Quality (ADEQ) submit the amended rules to EPA for inclusion into the Arizona SIP.

Please click on the RULEMAKING link above to access the Notice of Proposed Rulemaking, Public Notice and pertinent dates and other association information with this rulemaking.

Comments and/or questions can be sent to Scott DiBiase at scott.dibiase@pinal.gov.

Thank you,

Pinal County Air Quality

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your email address to log in. If you have questions or problems with the subscription service, please visit [subscriberhelp.govdelivery.com](#).

This service is provided to you at no charge by [Pinal County](#).

This email was sent to scott.dibiase@pinalcountyaz.gov using GovDelivery Communications Cloud on behalf of: Pinal County, AZ · 31 N. Pinal Street · Florence, AZ 85132

**PINAL COUNTY DEPARTMENT OF DEVELOPMENT SERVICES
AIR QUALITY CONTROL DISTRICT
POST OFFICE BOX 987, FLORENCE, ARIZONA 85232**

POSTING CERTIFICATION OF NOTICE

The undersigned hereby certifies that a copy of the attached notice was duly posted at:

(1) Pinal County Administration 1 – Bldg A Lobby

on March 17th

(2) Pinal County Treasurer's Office – Bldg E

on March 17th

(3) Pinal County Admin 3 – Bldg F Lobby

on March 17th

(4) Pinal Co Clerk of the Court – 971 Jason Lopez Ci

on March 17th

in accordance with the statement filed by the PINAL COUNTY AIR QUALITY CONTROL ADVISORY COUNCIL with the Clerk of the Pinal County Board of Supervisors.

Dated this 17th day of March, 2020



Tanya R. Fields
Senior Administrative Assistant
Pinal County Air Quality Control District



PINAL COUNTY

Public Notice

Air Quality Proposed Rulemaking

Public Comment Period & Oral Proceeding

Pinal County Air Quality proposes that the Board of Supervisors amend existing rules pertaining to air quality control. A formal notice, including the full text of the proposed revisions is available online at <http://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx> (notice posted online March 18, 2020). The ultimate purpose of this proposed rulemaking will be the submittal of the adopted rules (§3-1-103) through ADEQ to EPA, for inclusion as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act.

The Environmental Protection Agency (EPA) revised the eight-hour ozone National Ambient Air Quality Standards (NAAQS) in 2015 from 0.075 parts per million down to 0.070 parts per million. Additionally, the 2008 eight-hour ozone NAAQS nonattainment area which encompassed the Phoenix metropolitan area and a small portion of Pinal County (Apache Junction) was expanded for the 2015 ozone standard and classified as a Marginal Nonattainment Area. The nonattainment area expanded in Pinal County to Queen Valley and San Tan Valley. On December 6, 2018, The EPA published a final rule on the implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 Federal Register 62,993). One of the Clean Air Act (CAA) requirements for a Marginal nonattainment area includes An Emissions Statement (CAA Section 182(a)(3)(B)). As described in the CAA Section 182(a)(3)(B), the State is required to submit a revision to the Arizona State Implementation Plan (SIP) that requires the owner or operator of each stationary source of nitrogen oxides or volatile organic compounds in the ozone nonattainment area provide the State with a statement showing the actual emissions of nitrogen oxides or volatile organic compounds from that source. The EPA final rule on implementation of the 2015 ozone NAAQS requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area. A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements. Therefore the revised emissions statement regulation for the Pinal County portion of the Phoenix ozone NAA is due to EPA by August 3, 2020. Thus necessitating this proposed State Implementation Rule (SIP) rulemaking.



PINAL COUNTY

This proposed rulemaking will include a stakeholder meeting (May 5, 2020, 11 a.m., 31 N. Pinal St., Building F., Ocotillo Room, Florence, AZ.), a 30 day public comment period and a Control Officer Oral Proceeding that will be held on May 12, 2020, 11 a.m. in the Ocotillo Room located at 31 N. Pinal St., Building F, Florence, AZ.

Written or oral public comments are due before the close of business on May 12, 2020. Copies of the proposal, and additional information, are available from Pinal County Air Quality, 31 North Pinal Street, Florence, AZ. 85132, or by calling 520-866-6929 or online at <http://www.pinalcountyaz.gov/AirQuality/Pages/Rulemaking.aspx>.

The final step in the rulemaking process will be a Pinal County Board of Supervisors Public Hearing. The public hearing will be separately scheduled and publicly noticed.

The Apache Junction & Gold Canyon news



A1 Volume XXIV Issue 13

The Only Hometown Paper #WeAreAJ



March 25 - March 31, 2020

inside:

2 AJ & Az Water is Safe

4 Genesis/Food Bank Updates

7 Glascock Named CAA Coach/Year

8 Census Field Ops Suspended

The News Kidcast



This week's Weather "Artoonist"

Ashley Smiley

Grade: K
Four Peaks Elementary

Proudly Sponsored by DOUG'S PERFORMANCE TRANSMISSION			 Wed 25 76° 56°
 Thurs 26 67° 46°	 Fri 27 63° 44°	 Sat 28 71° 48°	
 Sun 29 76° 52°	 Mon 30 80° 56°	 Tues 31 82° 56°	

Apache Junction Mayor Declares State of Emergency

"This just allows the city to access funds if federal funds are allocated."

By Al Bravo, PIO
City of Apache Junction

Mayor Jeff Serdy on Friday signed a proclamation declaring a state of emergency in the city of Apache Junction.

The declaration helps the city gain access to additional resources in addressing the needs of the community as a result of the COVID-19 outbreak.

"We don't want anyone to be alarmed," Mayor Serdy said. "This just allows the city to access funds if there

are federal funds that are allocated."

The city has already closed several of its facilities, including the library and the Multi-Generational Center.

"Please follow the CDC recommendations of spacing yourselves, don't have large groups and stay in," Serdy said in signing the proclamation.

The city continues to reassess all its operations in consultation with Pinal County Health Department and state health officials. Apache Junction has had several

measures in place as recommended by the county and the federal Centers for Disease Control and Prevention.

Pinal County has seen cases of COVID-19. The CDC says the rate of infection of this new virus is higher among older populations and those with underlying health issues, including heart and lung diseases and diabetes.

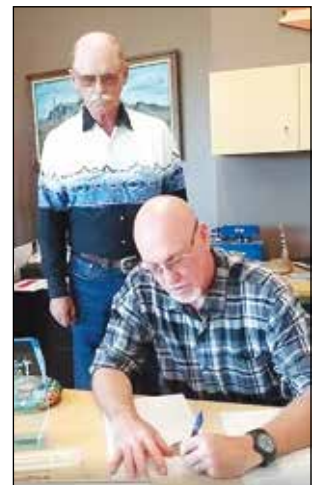
As always, health officials remind to take everyday preventive actions to stay healthy:

Pinal County Update

On Saturday, March 21, the Pinal County Public Health Department issued a release stating that four additional cases of coronavirus had been confirmed.

The announcement was quickly followed on Sunday, with the announcement of two additional cases confirmed.

Pinal County's total cases of COVID-19 now stand at sixteen, of which fifteen are either fully recovered, or are isolated at home and recovering.



Mayor Jeff Serdy signed the State of Emergency on March 20, with Vice-Mayor Chip Wilson

The Sun Still Rises

The first day of spring at Superstition Mountain Museum

In the midst of the overwhelming fallout from a global pandemic, the first day of spring may have slipped by unnoticed. But it still occurred; the sun rose on a new day, reminding us that Mother Earth brings light, hope and new life, even as we struggle through the darkness.

JJ Pelletier shared this photo of the sun rising over the labyrinth at Superstition Mountain Museum, taken at 7 a.m. on the first day of spring, March 19, 2020.

Although the museum



The sun rises over the labyrinth on the first day of spring at the Superstition Mountain Museum, 4087 N. Apache Trail (SR-88), Apache Junction ~ Photo by JJ Pelletier

is closed and programs canceled until further notice, the Desert Safety and Survival class is still scheduled for March 28,

from 9 a.m. to noon. The class is held outdoors, and students will be spread out for the currently prescribed distancing.

Uncharted Territory

Today, we are all facing uncharted territory – dangers that are unfamiliar to anyone in recent generations and mixed with conditions that make it unique to all of us. The global coronavirus pandemic is affecting all our families, communities and businesses – and yet, we rise up to meet the challenge with courage and care for our neighbors. Even as social distancing expands, separating us physically, we see new bonds growing to cross the void. We are honored to include several of these stories in this edition.

The Apache Junction & Gold Canyon News was founded on the premise that our community needs to hear all the news - the good news, as well as the challenges. And we feel privileged to have served you for 23 years with stories of selfless volunteerism, community events and the achievements of our children, as well as news from our businesses and organizations and factual information about our city and county proceedings. We work hard to fine tune the

see News pg 10

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Adopt a Pet

Audio is a big boy that wants to get his own yard. He is neutered and waiting patiently for his forever home.

Apache Junction Paws and Claws Care Center can be reached at 480-983-4405, or you can visit the kennel at 725 E. Baseline Road between the hours of 9 a.m. and 3 p.m. Tuesday through Saturday. You can also view available pets online at www.facebook.com/ApacheJunctionAnimalControl or www.ajcity.net.

Paws and Claws Care Center is a function of the Apache Junction Police Department.

Please contact the PCCC to see if Audio is still available. Or come visit us and see all the other friendly pets that are waiting for their forever homes. Adoption fees at PCCC include spaying and neutering.



Proudly sponsored by Robin Barker City Council

Canada Del Oro, AZ Chapter of SPEBSQSA, INC.

Be it resolved, that the Canada Del Oro, AZ Chapter of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc. is currently incorporated under a name that is no longer appropriate to the organization.

Be it further resolved, that the Board of Directors of the corporation have changed the name of the registered corporate name with the State of Arizona and the Barbershop Harmony Society from Canada Del Oro, AZ Chapter of SPEBSQSA, Inc. to **SaddleBrooke, AZ Chapter of SPEBSQSA, Inc.**

Public Notice Air Quality Proposed Rulemaking Public Comment Period & Oral Proceeding

Pinal County Air Quality proposes that the Board of Supervisors amend existing rules pertaining to air quality control. A formal notice, including the full text of the proposed revisions is available online at <http://www.pinalcountyaz.gov/AirQuality/Pages/Rule-making.aspx> (notice posted online March 18, 2020). The ultimate purpose of this proposed rulemaking will be the submittal of the adopted rules (§3-1-103) through ADEQ to EPA, for inclusion as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act. The Environmental Protection Agency (EPA) revised the eight-hour ozone National Ambient Air Quality Standards (NAAQS) in 2015 from 0.075 parts per million down to 0.070 parts per million. Additionally, the 2008 eight-hour ozone NAAQS nonattainment area which encompassed the Phoenix metropolitan area and a small portion of Pinal County (Apache Junction) was expanded for the 2015 ozone standard and classified as a Marginal Nonattainment Area. The nonattainment area expanded in Pinal County to Queen Valley and San Tan Valley. On December 6, 2018, The EPA published a final rule on the implementation of the 2015 ozone NAAQS. Nonattainment Area State Implementation Plan Requirements (83 Federal Register 62,993). One of the Clean Air Act (CAA) requirements for a Marginal nonattainment area includes An Emissions Statement (CAA Section 182(a)(3)(B)). As described in the CAA Section 182(a)(3)(B), the State is required to submit a revision to the Arizona State Implementation Plan (SIP) that requires the owner or operator of each stationary source of nitrogen oxides or volatile organic compounds in the ozone nonattainment area provide the State with a statement showing the actual emissions of nitrogen oxides or volatile organic compounds from that source. The EPA final rule on implementation of the 2015 ozone NAAQS requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area. A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§31-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements. Therefore the revised emissions statement regulation for the Pinal County portion of the Phoenix ozone NAA is due to EPA by August 3, 2020. Thus necessitating this proposed State Implementation Rule (SIP) rulemaking.

This proposed rulemaking will include a stakeholder meeting (May 5, 2020, 11 a.m., 31 N. Pinal St., Building F., Ocotillo Room, Florence, AZ.), a 30 day public comment period and a Control Officer Oral Proceeding that will be held on May 12, 2020, 11 a.m. in the Ocotillo Room located at 31 N. Pinal St., Building F, Florence, AZ. Written or oral public comments are due before the close of business on May 12, 2020. Copies of the proposal, and additional information, are available from Pinal County Air Quality, 31 North Pinal Street, Florence, AZ. 85132, or by calling 520-8666929 or online at <http://www.pinalcountyaz.gov/AirQuality/Pages/Rulemaking.aspx>. The final step in the rulemaking process will be a Pinal County Board of Supervisors Public Hearing. The public hearing will be separately scheduled and publicly noticed.

STATE OF ARIZONA

COUNTY OF PINAL

} ss.

Affidavit of Publication

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No. of publications: 1; date of publication: Mar. 26, 2020.

Ruth A. Kramer, first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Florence Reminder & Blade-Tribune, a weekly newspaper published at Florence, Pinal County, Arizona, Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE issues. The publications thereof having been on the following dates:

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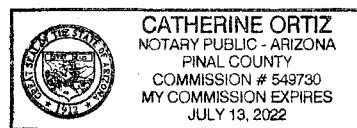
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27th

A.D. 2020

[Signature]

Notary Public in and for the County
of Pinal, State of Arizona



STATE OF ARIZONA

COUNTY OF PINAL

} ss.

Affidavit of Publication

Ruth A. Kramer, first being duly sworn deposes and says:
That he/she is a native born citizen of the United States
of America, over 21 years of age, that I am an agent and/or
publisher of the Casa Grande Dispatch, a newspaper
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Thursday and Saturday of each week; that a notice, a full,
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The publications thereof having been on the following dates:

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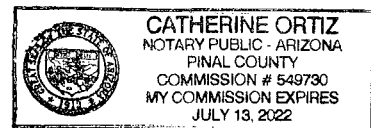
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agent and/or publisher of the Casa Grande Dispatch

Sworn to before me this 27th

day of March A.D., 2020

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Stakeholder Meeting
SIP Rulemaking – Annual Emissions Inventory Questionnaire and Emissions Statement (§3-1-103)
Tuesday, May 5, 2020 @ 11 a.m.
Pinal County Air Quality Control District
31 N. Pinal St., Building F., Ocotillo Room
&
Virtually (Google Hangouts Meeting link (audio and video) -
<https://meet.google.com/qnz-ibqn-pxb?hs=122>
or by Phone - (402)855-5283, PIN: 239 972 797#

1. Welcome
2. Introductions
3. Existing and Proposed Rule – Annual Emissions Inventory Questionnaire and Emissions Statement (§3-1-103)
4. Discussion
5. Next steps



**DRAFT §3-1-103. ANNUAL EMISSIONS INVENTORY QUESTIONNAIRE AND EMISSIONS STATEMENT
STATE IMPLEMENTATION PLAN (SIP) RULEMAKING STAKEHOLDER MEETING**

[illegible]

Pinal County Air Quality Control District

(PCAQCD)

§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement

State Implementation Plan (SIP) Rulemaking

May 5, 2020



PINAL COUNTY

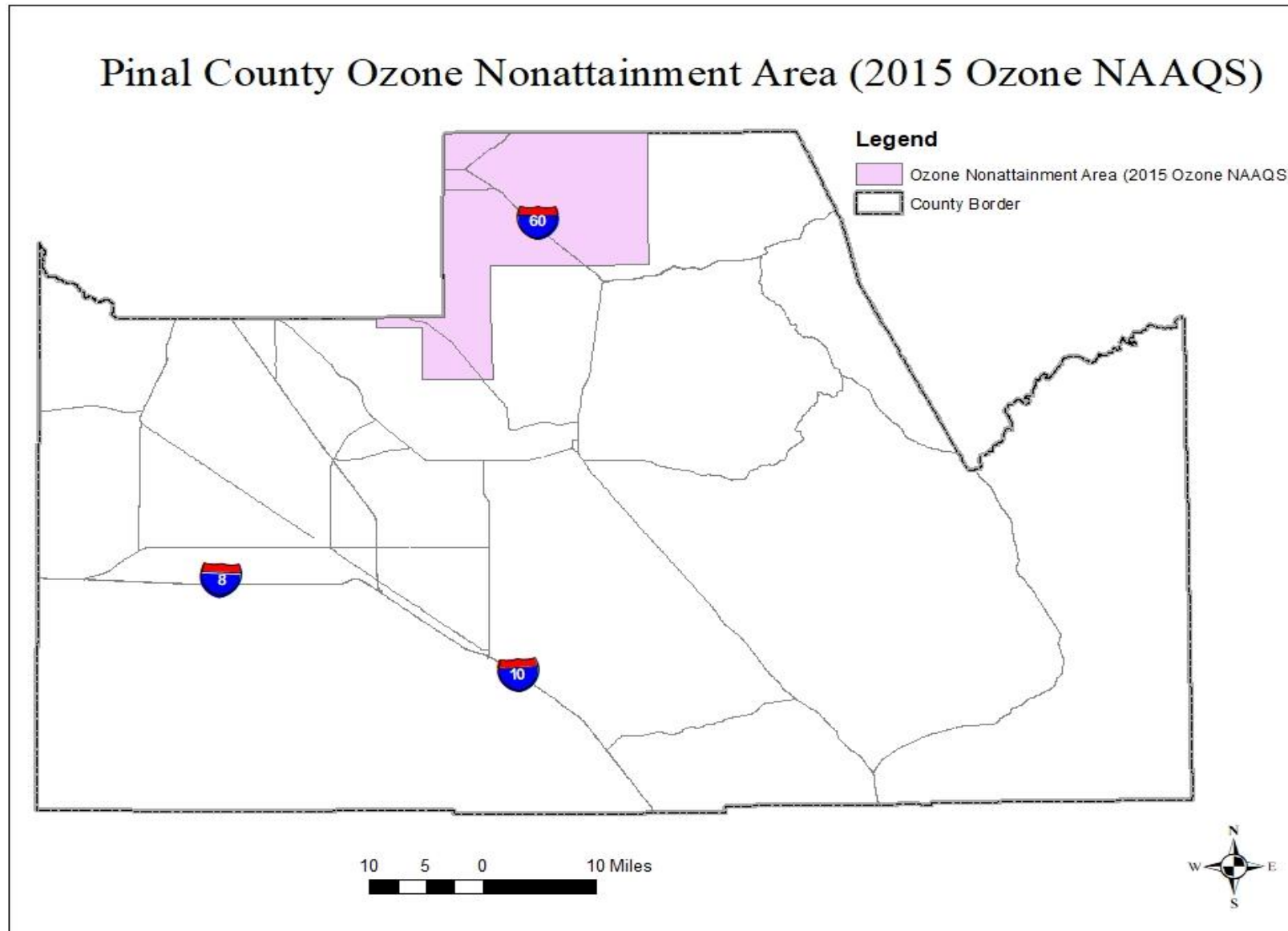
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Why?

- Revision of Ozone Health Standard in 2015 (from 0.075 ppm to 0.070 ppm)
- Previous ozone nonattainment area [NAA] (covered the Phoenix metro and northern Pinal County) was expanded east and south in the Pinal County portion to include Gold Canyon/Queen Valley and San Tan Valley.
- The new 2015 ozone NAA was classified marginal.

2015 Ozone NAA – Pinal County Portion



Marginal Ozone NAA Requirements

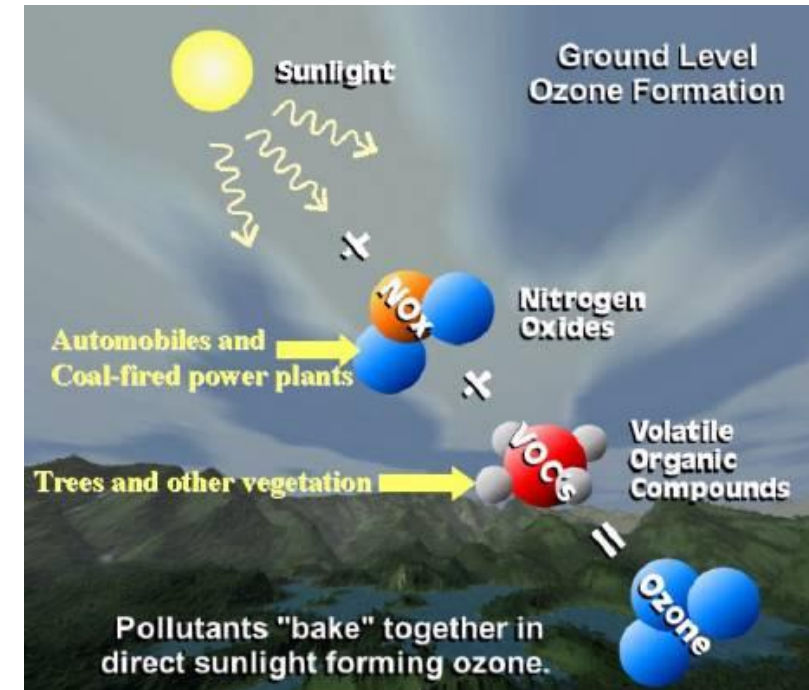
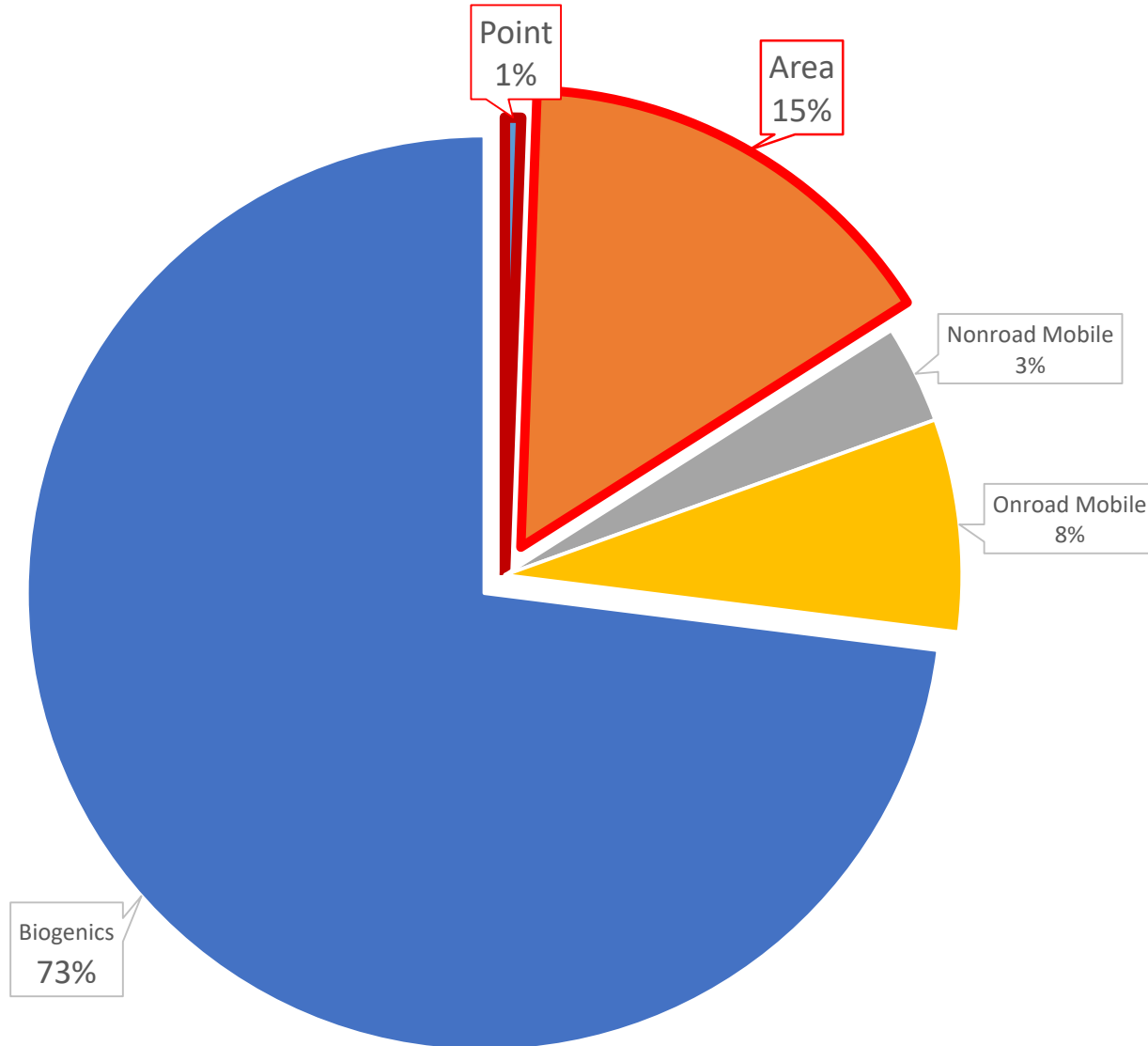
- An Emissions Statement – CAA Section 182(a)(3)(B)
- A Baseline Emissions Inventory – CAA Section 182(a)(1)
- A Periodic Emissions Inventory, No later than every three years until attainment of the standard – CAA Section 182(a)(3)(A)
- Corrections to the State Implementation Plan – CAA Section 182(a)(2)
- New Source Review – CAA Title I, Part D
- Offset Requirements – 1.1 to 1 (Ratio of Total Emissions Reductions of Volatile Organic Compounds to Total Increased Emissions) – CAA Section 182(a)(4)
- Meet Transportation Conformity Requirements – CAA Section 176(c)



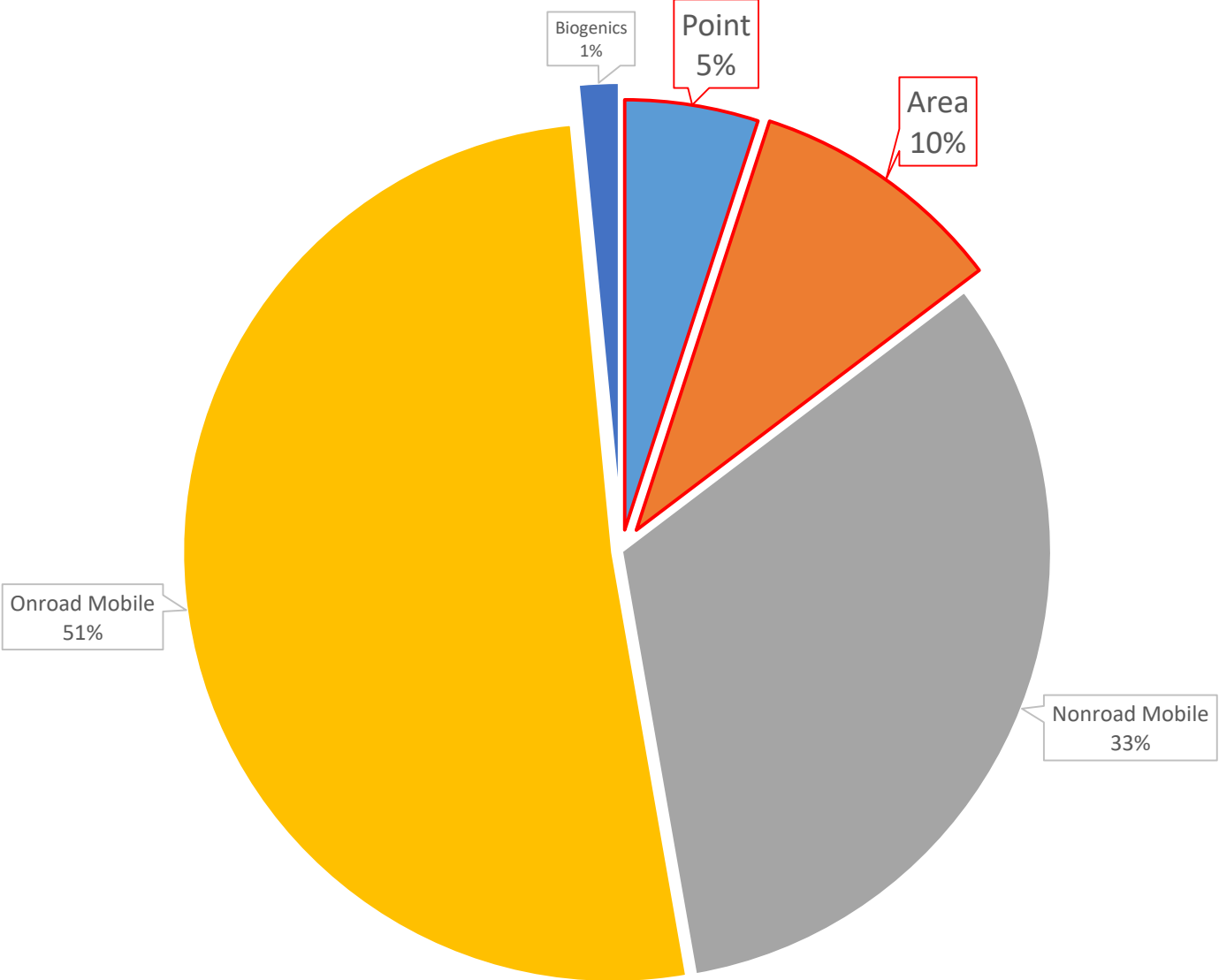
Marginal Ozone NAA Requirements (Continued)

- CAA Section 182 - **(a) Marginal Areas**
- Each State in which all or part of a Marginal Area is located shall, with respect to the Marginal Area (or portion thereof, to the extent specified in this subsection), submit to the Administrator the State implementation plan revisions (including the plan items) described under this subsection...
- **(3) Periodic inventory**
- **(B) Emissions statements**
- (i) ...the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source. The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter. The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.
- (ii) The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs ¹(1) or (3)(A), provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.

2017 PEI - VOC Maricopa County Ozone Nonattainment Area



2017 PEI - NOx
Maricopa County Ozone Nonattainment Area



Current rule (§3-1-103)

- **3-1-103. Annual emissions inventory questionnaire**
- A. **Every source** subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, **shall complete and submit to the Control Officer an annual emissions inventory questionnaire**. The questionnaire is due by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- B. The questionnaire shall be on a form provided by the Control Officer and shall include the following information:
 - 1. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - 2. Process information for the source, including design capacity, operations schedule, and emissions control devices, their description and efficiencies.
 - 3. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, of:
 - a. Any single regulated air pollutant in a quantity greater than one ton.
 - b. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
- C. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.
- [Adopted effective November 3, 1993. Amended February 22, 1995. Amended October 27, 2004.]
-



Proposed rule changes – PCAQCD §3-1-103

- **3-1-103. Annual emissions inventory questionnaire and emissions statement**
- **A. Emissions Inventory Questionnaire and Emissions Statement Requirements**
- ~~A1.~~ Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement ~~is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.



Proposed rule changes – PCAQCD §3-1-103

- ~~B~~2. The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
 - ~~1~~a. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - ~~2~~b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
 - ~~3~~c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
 - ~~a~~i. Any single regulated air pollutant in a quantity greater than one ton.
 - ~~b~~ii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
 - d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.



Proposed rule changes – PCAQCD §3-1-103

- 3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
- 4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.



Proposed rule changes – PCAQCD §3-1-103

- ~~• C5. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~
- The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NO_x or VOC if the NO_x or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).



Proposed rule changes – PCAQCD §3-1-103

- **B. Emissions Estimation Methodology**

- Actual quantities of emissions shall be determined using the following emission factors or data.
 - Whenever available, **emissions estimates shall either be calculated** from **continuous emissions monitors** certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, **or data quality assured** pursuant to Appendix F of 40 CFR Part 60.
 - When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from **source performance tests** conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
 - When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using **emissions factors from EPA Publication No. AP-42** "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.



Proposed rule changes – PCAQCD §3-1-103

- **B. Emissions Estimation Methodology**

- Actual quantities of emissions shall be determined using the following emission factors or data.

- When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from **material balance using engineering knowledge of process.**
- When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by **equivalent methods approved by the Control Officer.** The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).
- Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of **actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.**

How many industrial permits issued in Pinal County? Ozone (2015 NAAQS) Nonattainment Area?

- Industrial permits – 371 facilities Countywide
- Industrial permits in Ozone (2015 NAAQS) Nonattainment Area - 84

Rulemaking Timeline

- Today's stakeholder meeting
- Oral Proceeding – May 12, 2020 @ 11 a.m. – Building F, Ocotillo room
 - Public comments due by close of business May 12th
- Pinal County Board of Supervisors (BOS) Public Hearing – July 1, 2020 @ 9:30 a.m. 1891 Courthouse, Florence, AZ.
- After BOS Adoption – submittal to ADEQ for submittal to EPA.

Questions? Comments?

- Contact info: Mike Sundblom – Michael.Sundblom@pinal.gov or Scott DiBiase – scott.dibiase@pinal.gov

* Stakeholder meeting was conducted virtually (COVID-19 – social distancing) therefore all attendees participated remotely.



Control Officer Oral Proceeding Meeting
SIP Rulemaking – Annual Emissions Inventory Questionnaire and Emissions Statement (§3-1-103)
Tuesday, May 12, 2020 @ 11 a.m.
Pinal County Air Quality Control District
31 N. Pinal St., Building F., Ocotillo Room
&
Virtual Meeting (Google Hangouts Meeting link (audio and video) -
<https://meet.google.com/bdh-mvub-vjh>
or by Phone - (904)580-9186 PIN: 722 238 060#

1. Welcome
2. Introductions
3. Existing and Proposed Rule – Annual Emissions Inventory Questionnaire and Emissions Statement (§3-1-103)
4. Public comments
5. Next step – Pinal County Board of Supervisors – Public Hearing, July 1, 2020.



PINAL COUNTY AIR QUALITY CONTROL DISTRICT
31 N. Pinal St., Building F, Ocotillo Room, Florence, AZ.

**DRAFT §3-1-103. ANNUAL EMISSIONS INVENTORY QUESTIONNAIRE AND EMISSIONS STATEMENT
STATE IMPLEMENTATION PLAN (SIP) RULEMAKING**

ORAL PROCEEDING

MAY 12, 2020 11 A.M.

Name	Organization	Address	Phone Number	Email
Michael Sundblom*	Pinal County AQ	31 N. Pinal St., Building F, Florence, AZ.	520-866-6929	michael.sundblom@pinal.gov
Scott DiBiase*	Pinal County AQ	31 N. Pinal St., Building F, Florence, AZ.	520-866-6929	scott.dibiase@pinal.gov
Ramona Simpson*	Town of Queen Creek		480-358-3831	ramona.simpson@queencreek.org
Kazi Haque*	City of Maricopa	39700 West Civic Center Plaza Maricopa, AZ 85138	520-316-6985	kazi.haque@maricopa-az.gov
Kale Walch*	Hexcel	1214 W. Gila Bend Hwy Casa Grande, AZ. 85122	(520)413-6407	kale.walch@hexcel.com

* Oral Proceeding was conducted virtually (COVID-19 – social distancing) therefore all attendees participated remotely.

Pinal County Air Quality Control District

(PCAQCD)

§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement

State Implementation Plan (SIP) Rulemaking
Control Officer Oral Proceeding

May 12, 2020



PINAL COUNTY

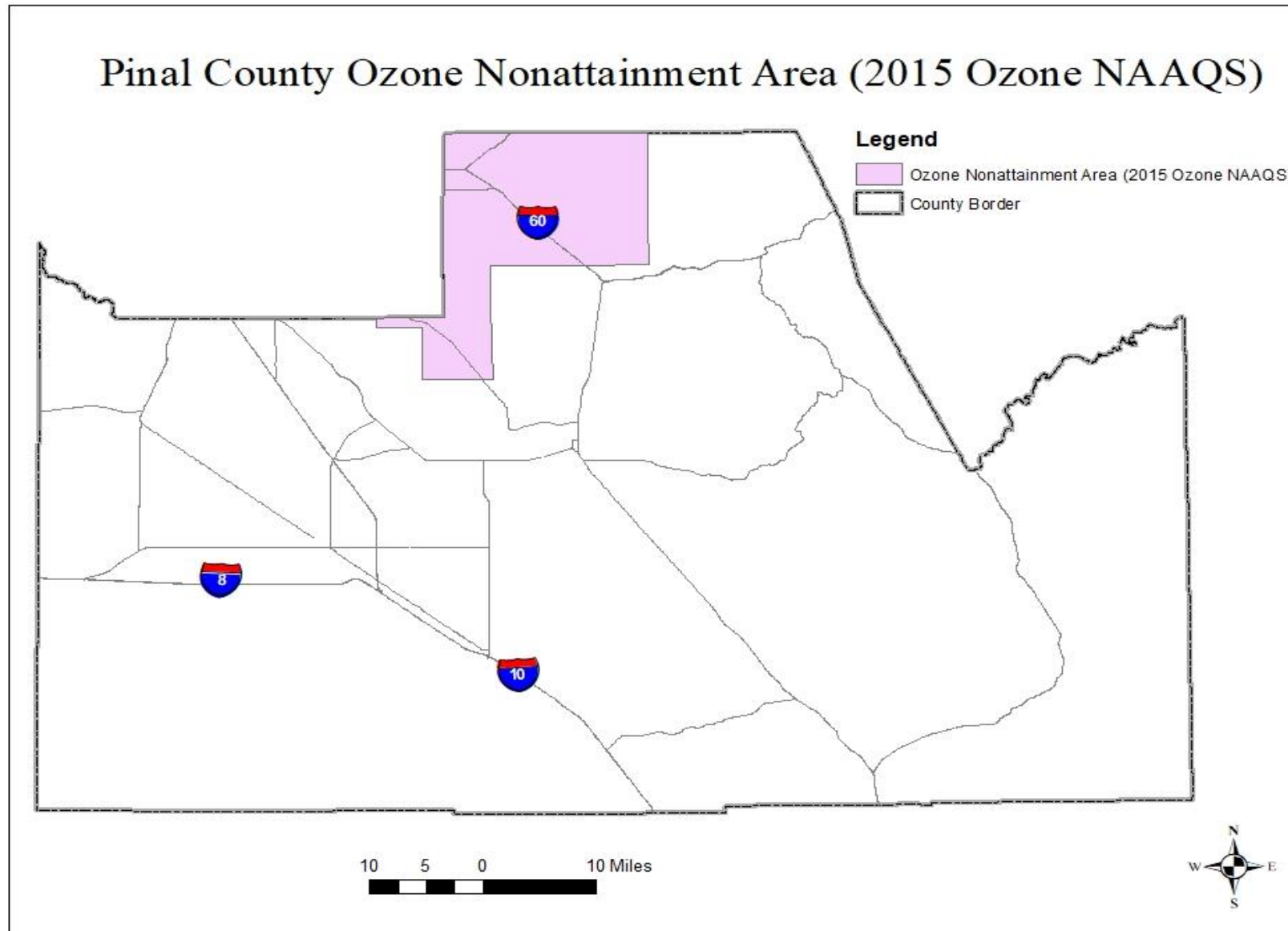
WIDE OPEN OPPORTUNITY



Why?

- Revision of Ozone Health Standard in 2015 (from 0.075 ppm to 0.070 ppm)
- Previous ozone nonattainment area [NAA] (covered the Phoenix metro and northern Pinal County) was expanded east and south in the Pinal County portion to include Gold Canyon/Queen Valley and San Tan Valley.
- The new 2015 ozone NAA was classified marginal.

2015 Ozone NAA – Pinal County Portion



Marginal Ozone NAA Requirements

- An Emissions Statement – CAA Section 182(a)(3)(B)
- A Baseline Emissions Inventory – CAA Section 182(a)(1)
- A Periodic Emissions Inventory, No later than every three years until attainment of the standard – CAA Section 182(a)(3)(A)
- Corrections to the State Implementation Plan – CAA Section 182(a)(2)
- New Source Review – CAA Title I, Part D
- Offset Requirements – 1.1 to 1 (Ratio of Total Emissions Reductions of Volatile Organic Compounds to Total Increased Emissions) – CAA Section 182(a)(4)
- Meet Transportation Conformity Requirements – CAA Section 176(c)

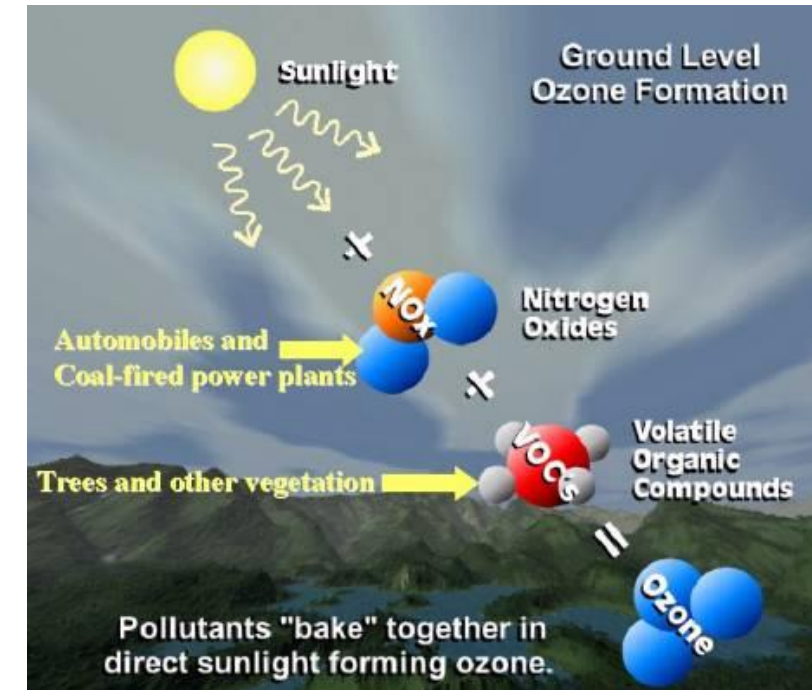
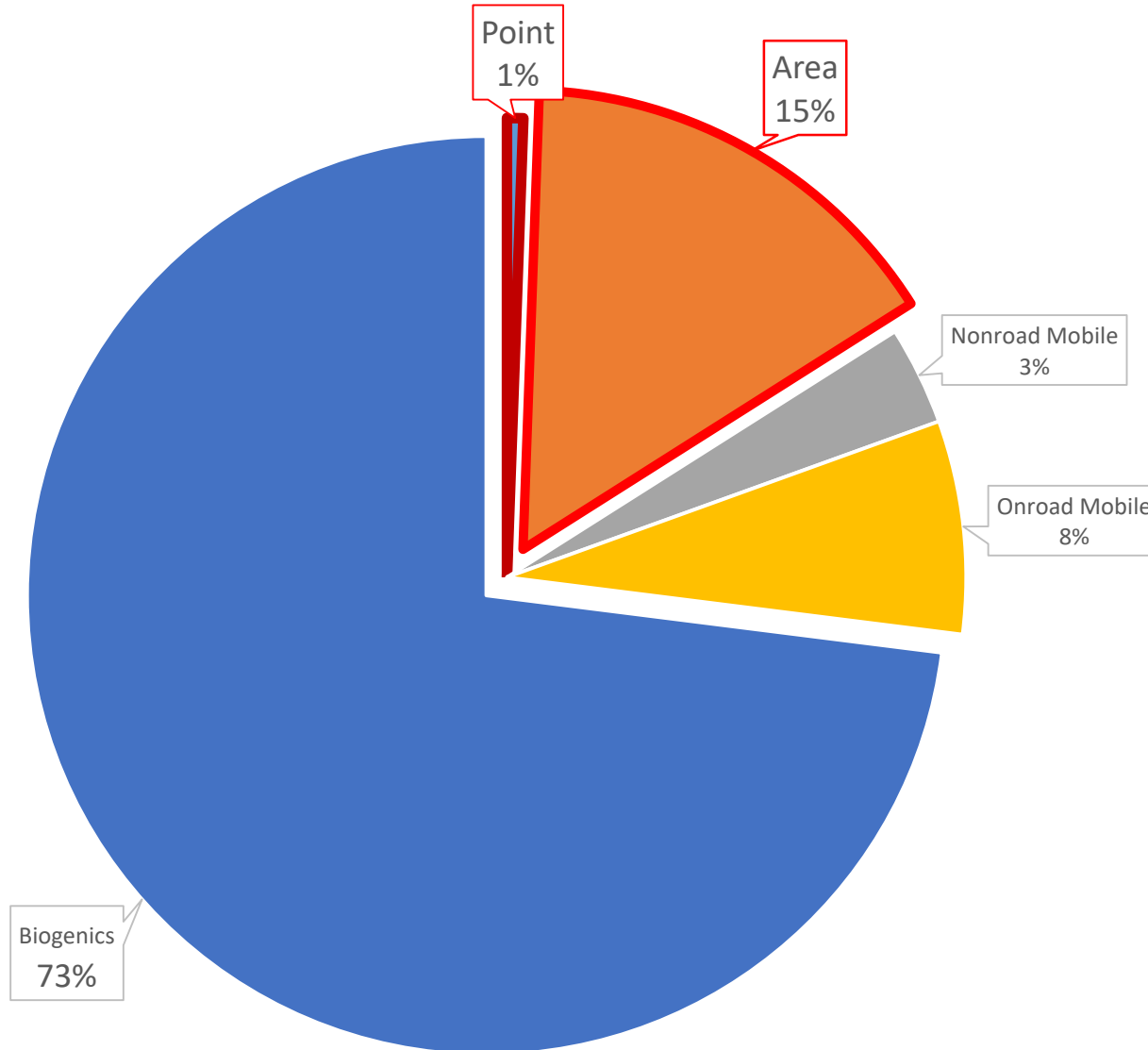


Marginal Ozone NAA Requirements (Continued)

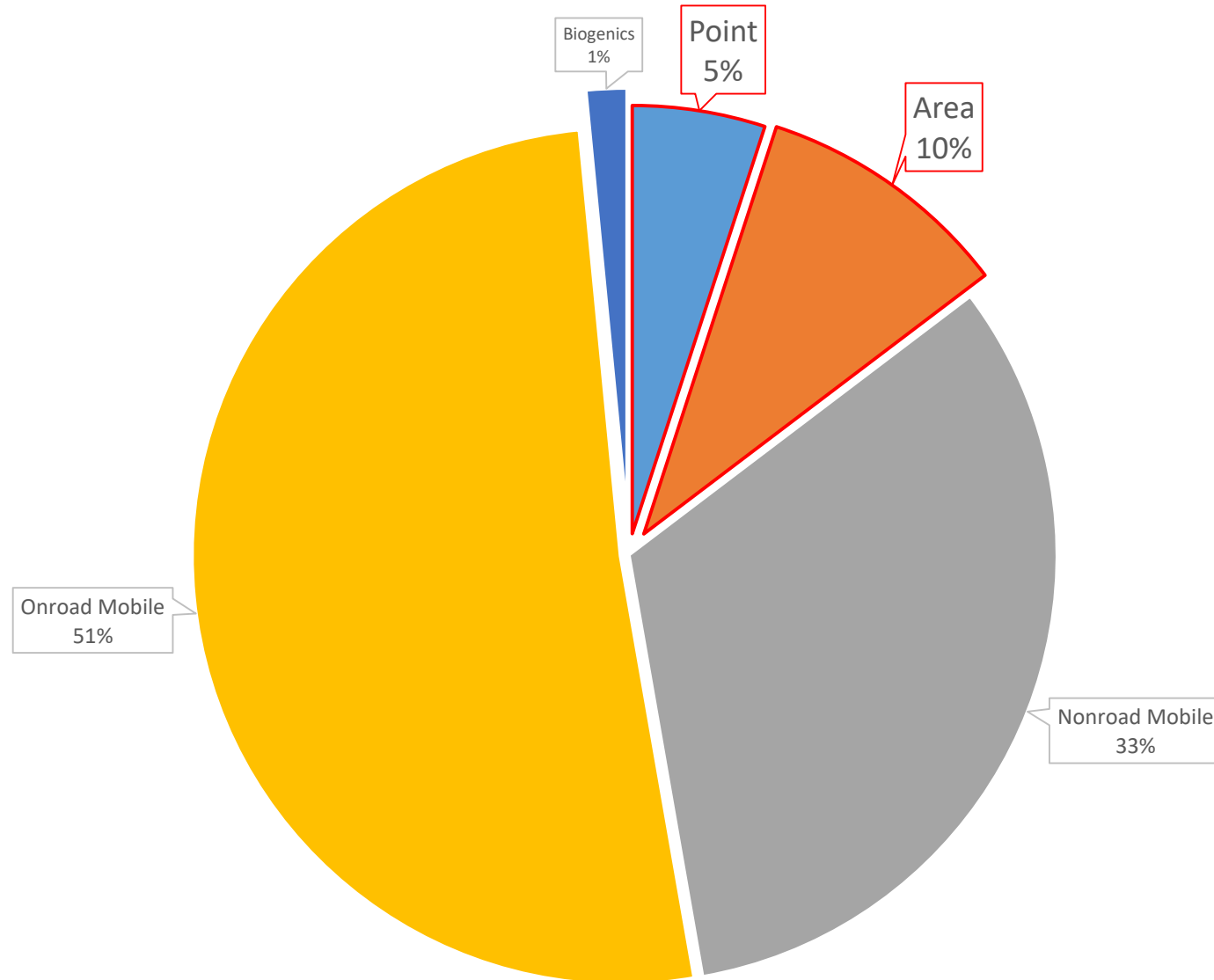
- CAA Section 182 - **(a) Marginal Areas**
- Each State in which all or part of a Marginal Area is located shall, with respect to the Marginal Area (or portion thereof, to the extent specified in this subsection), submit to the Administrator the State implementation plan revisions (including the plan items) described under this subsection...
- **(3) Periodic inventory**
- **(B) Emissions statements**
- (i) ...the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source. The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter. The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.
- (ii) The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs ¹(1) or (3)(A), provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.

2017 PEI - VOC

Maricopa County Ozone Nonattainment Area



2017 PEI - NOx Maricopa County Ozone Nonattainment Area



Current rule (§3-1-103)

- **3-1-103. Annual emissions inventory questionnaire**
- A. **Every source** subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, **shall complete and submit to the Control Officer an annual emissions inventory questionnaire**. The questionnaire is due by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- B. The questionnaire shall be on a form provided by the Control Officer and shall include the following information:
 - 1. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - 2. Process information for the source, including design capacity, operations schedule, and emissions control devices, their description and efficiencies.
 - 3. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, of:
 - a. Any single regulated air pollutant in a quantity greater than one ton.
 - b. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
- C. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.
- [Adopted effective November 3, 1993. Amended February 22, 1995. Amended October 27, 2004.]
-



Proposed rule changes – PCAQCD §3-1-103

- **3-1-103. Annual emissions inventory questionnaire and emissions statement**
- **A. Emissions Inventory Questionnaire and Emissions Statement Requirements**
- ~~A1.~~ Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement ~~is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.



Proposed rule changes – PCAQCD §3-1-103

- ~~B~~2. The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
 - ~~1~~a. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - ~~2~~b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
 - ~~3~~c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
 - ~~a~~i. Any single regulated air pollutant in a quantity greater than one ton.
 - ~~b~~ii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
 - d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.



Proposed rule changes – PCAQCD §3-1-103

- 3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
- 4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.



Proposed rule changes – PCAQCD §3-1-103

- ~~• C5. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~
- The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NO_x or VOC if the NO_x or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).



Proposed rule changes – PCAQCD §3-1-103

- **B. Emissions Estimation Methodology**

- Actual quantities of emissions shall be determined using the following emission factors or data.
 - Whenever available, **emissions estimates shall either be calculated** from **continuous emissions monitors** certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, **or data quality assured** pursuant to Appendix F of 40 CFR Part 60.
 - When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from **source performance tests** conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
 - When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using **emissions factors from EPA Publication No. AP-42** "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.



Proposed rule changes – PCAQCD §3-1-103

- **B. Emissions Estimation Methodology**

- Actual quantities of emissions shall be determined using the following emission factors or data.

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- Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of **actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.**

How many industrial permits issued in Pinal County? Ozone (2015 NAAQS) Nonattainment Area?

- Industrial permits – 371 facilities Countywide
- Industrial permits in Ozone (2015 NAAQS) Nonattainment Area - 84

Rulemaking Timeline

- Stakeholder meeting – May 5th
- Today's Oral Proceeding
 - **Public comments due by close of business (today) May 12th**
- Pinal County Board of Supervisors (BOS) Public Hearing – July 1, 2020
@ 9:30 a.m. 1891 Courthouse, Florence, AZ.
- After BOS Adoption – submittal to ADEQ for submittal to EPA.

Formal Comments?

Questions? Comments?

- Contact info: Mike Sundblom – Michael.Sundblom@pinal.gov or Scott DiBiase – scott.dibiase@pinal.gov

STATE OF ARIZONA

COUNTY OF PINAL

} ss.

Public Notice
Air Quality Proposed Rulemaking
Board of Supervisors Public
Hearing

Pinal County Air Quality proposes that the Board of Supervisors amend existing rules pertaining to air quality control. A formal notice, including the full text of the proposed revisions is available online at <http://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx> (notice posted online March 18, 2020). The ultimate purpose of this proposed rulemaking will be the submittal of the adopted rules (§3-1-103) through ADEQ to EPA, for inclusion as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act.

The Environmental Protection Agency (EPA) revised the eight-hour ozone National Ambient Air Quality Standards (NAAQS) in 2015 from 0.075 parts per million down to 0.070 parts per million. Additionally, the 2008 eight-hour ozone NAAQS nonattainment area which encompassed the Phoenix metropolitan area and a small portion of Pinal County (Apache Junction) was expanded for the 2015 ozone standard and classified as a Marginal Nonattainment Area. The nonattainment area expanded in Pinal County to Queen Valley and San Tan Valley. On December 6, 2018, The EPA published a final rule on the implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 Federal Register 62,993). One of the Clean Air Act (CAA) requirements for a Marginal nonattainment area includes An Emissions Statement (CAA Section 182(a)(3)(B)). As described in the CAA Section 182(a)(3)(B), the State is required to submit a revision to the Arizona State Implementation Plan (SIP) that requires the owner or operator of each stationary source of nitrogen oxides or volatile organic compounds in the ozone nonattainment area provide the State with a statement showing the actual emissions of

nitrogen oxides or volatile organic compounds from that source. The EPA final rule on implementation of the 2015 ozone NAAQS requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area. A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 - Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements. Therefore the revised emissions statement regulation for the Pinal County portion of the Phoenix ozone NAA is due to EPA by August 3, 2020. Thus necessitating this proposed State Implementation Rule (SIP) rulemaking.

This proposed rulemaking included a posting of the Notice of Proposed Rulemaking on the Pinal County Air Quality website (<http://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx>) on March 18, 2020 along with posting of the public notice in local newspapers (Apache Junction News on March 25, 2020 and Casa Grande Dispatch on March 26, 2020).

A stakeholder meeting was held virtually on May 5, 2020 and a Control Officer Oral Proceeding was held virtually on May 12, 2020. The public comment period covered the period from March 18, 2020 to the Close of Business on May 12, 2020.

The rulemaking proposal along with a summary of any comments received will be submitted to the Board of Supervisors for consideration and possible adoption. The date, time and location of the Board of Supervisors public hearing-of-adoption is July 1, 2020, 9:30 a.m. at the Pinal County Administrative Complex, Board of Supervisors Hearing Room located at 135 N. Pinal Street, Florence, AZ. 85132. No. of publications: 1; date of publication: May 21, 2020.

Affidavit of Publication

Ruth A. Kramer, first being duly sworn deposes and says:

That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Florence Reminder & Blade-Tribune, a weekly newspaper published at Florence, Pinal County, Arizona, Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE issues. The publications thereof having been on the following dates:

05/21/2020

FLORENCE REMINDER & BLADE-TRIBUNE

By [Signature]
agent and/or publisher of the Florence Reminder & Blade-Tribune

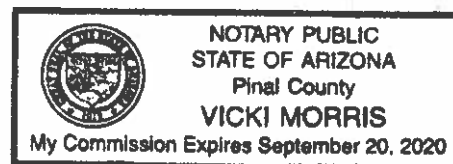
Sworn to before me this

day of

July A.D., 2020

[Signature: Vicki Morris]

Notary Public in and for the County
of Pinal, State of Arizona



STATE OF ARIZONA

COUNTY OF PINAL

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That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Casa Grande Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Tuesday, Thursday and Saturday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE issues. The publications thereof having been on the following dates:

05/21/2020

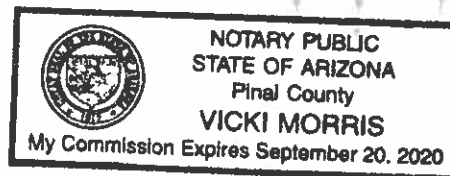
CASA GRANDE DISPATCH

By *Ruth A. Kramer*
agent and/or publisher of the Casa Grande Dispatch

Sworn to before me this 8th

day of July A.D., 2020

Vicki Morris
Notary Public in and for the County
of Pinal, State of Arizona



**PINAL COUNTY DEPARTMENT OF DEVELOPMENT SERVICES
AIR QUALITY CONTROL DISTRICT
POST OFFICE BOX 987, FLORENCE, ARIZONA 85232**

POSTING CERTIFICATION OF NOTICE

The undersigned hereby certifies that a copy of the attached notice was duly posted at:

(1) Pinal County Administration 1 – Bldg A Lobby

on May 19th

(2) Pinal County Treasurer's Office – Bldg E

on May 19th

(3) Pinal County Admin 3 – Bldg F Lobby

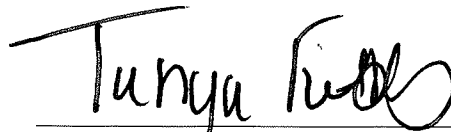
on May 19th

(4) Pinal Co Clerk of the Court – 971 Jason Lopez Ci

on May 19th

in accordance with the statement filed by the PINAL COUNTY AIR QUALITY CONTROL ADVISORY COUNCIL with the Clerk of the Pinal County Board of Supervisors.

Dated this 19th day of May, 2020



Tanya R. Fields
Senior Administrative Assistant
Pinal County Air Quality Control District



PINAL COUNTY

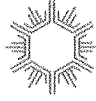
Public Notice

Air Quality Proposed Rulemaking

Board of Supervisors Public Hearing

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PINAL COUNTY

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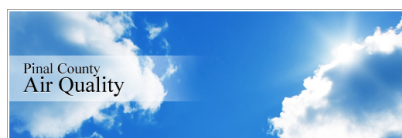
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Pinal County Air Quality Proposed Rulemaking - Public Notice for Board of Supervisors Public Hearing - Annual Emissions Inventory Questionnaire (3-1-103)

1 message

Pinal Air Quality <PinalAQ@public.govdelivery.com>
Reply-To: PinalAQ@public.govdelivery.com
To: scott.dibiase@pinalcountyaz.gov

Wed, May 20, 2020 at 2:12 PM



RULEMAKING

Dear Stakeholders,

A Pinal County Board of Supervisors (BOS) Public Hearing on the proposed rule amendments for the annual emissions inventory questionnaire and emissions statement rule (§3-1-103) will be held on July 1, 2020. [Click on this link for the BOS Public Hearing public notice.](#) The rulemaking webpage with all of the related information for this rulemaking is <https://www.pinalcountyaz.gov/AirQuality/Pages/CurrentRulemaking1.aspx>.

Sincerely,

Pinal County Air Quality

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your email address to log in. If you have questions or problems with the subscription service, please visit subscriberhelp.govdelivery.com.

This service is provided to you at no charge by [Pinal County](#).

This email was sent to scott.dibiase@pinalcountyaz.gov using GovDelivery Communications Cloud on behalf of: Pinal County, AZ · 31 N. Pinal Street · Florence, AZ 85132

GOVDELIVERY 



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Posted 4/10/20 -

For the proposed rule amendments related to §3-1-103 – Annual Emissions Inventory Questionnaire

Due to the COVID-19 social distancing, the stakeholder meeting and Control Officer Oral Proceeding scheduled for May 5th and May 12th respectively are going to be held virtually, see information below.

Stakeholder Meeting - May 5, 2020 at 11 a.m.

Google Hangouts Meeting link (audio and video) - <https://meet.google.com/qnz-ibqn-pxb?hs=122>

or by Phone - (402)855-5283, PIN: 239 972 797#

Oral Proceeding - May 12, 2020 at 11 a.m.

Google Hangouts Meeting link (audio and video) - <https://meet.google.com/bdh-mvub-vjh>

or by Phone - (904)580-9186 PIN: 722 238 060#

Comments and/or questions can be sent to Scott DiBiase at scott.dibiase@pinal.gov.

Thank you,

Pinal County Air Quality

Rulemaking Summary

Rulemaking - Pinal County Air Quality has developed proposed rule amendments to Pinal County Air Quality Control District (PCAQCD) code, namely (§3-1-103 – Annual Emissions Inventory Questionnaire). The proposed amendments are due to the 2015 update to the ozone National Ambient Air Quality Standards (NAAQS) and the Clean Air Act (CAA) Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore this proposed rulemaking is a State Implementation Plan (SIP) rulemaking and so PCAQCD code §1-1-105 (non-SIP rule) is also proposed to be amended to incorporate the update of §3-1-103 (SIP rule) and the request that Arizona Department of Environmental Quality (ADEQ) submit the amended rules to EPA for inclusion into the Arizona SIP.

Combined Notice of Proposed Rulemaking and Oral Proceeding

[Combined Notice of Proposed Rulemaking and Oral Proceeding for amended rules §3-1-103.](#) (posted online 3/18/20)

Public Notice for Stakeholders Meeting(s), Oral Proceeding and Public Comment Period

[Public notice](#)

Public Comment Period Begins

March 18, 2020

Public Comment Period Ends

Close of Business May 12, 2020

Stakeholders Meeting(s)

- Meeting
 - Date: May 5, 2020
 - Time: 11 a.m.
 - Location: 31 N. Pinal St., Building F, Ocotillo Room, Florence, AZ.
 - [Agenda](#)
 - [Presentation](#)

Oral Proceeding

- Date: May 12, 2020
- Time: 11 a.m.
- Location: 31 N. Pinal St., Florence, AZ.. Building F, Ocotillo room and virtual.
- [Agenda](#)
- [Presentation](#)

Public Notice for BOS Public Hearing

[BOS Public Hearing Public Notice](#) (posted 5/13/20)

BOS Public Hearing

- Date: July 1, 2020
- Time: 9:30 a.m.
- Location: Pinal County Board of Supervisors Hearing Room 135 N. Pinal St., Florence, AZ. 85132
- [Agenda](#)

Notice of Final Rulemaking

To be posted at a later date

Comments/questions can be submitted to scott.dibiase@pinal.gov

Pinal County Government

31 N. Pinal Street
Florence, AZ 85132
520.509.3555 (Local)
888.431.1311 (Toll Free)

[Pinal County Government Web Disclaimer](#)

6. Public Comment



MEMORANDUM FROM AIR QUALITY

Date: 7/6/20

To: File

Thru:

Re: §3-1-103 rulemaking – comments received

From: Scott DiBiase

The annual emissions inventory questionnaire and emissions statement Notice of Proposed Rulemaking Combined Notice of Stakeholder meeting and Oral Proceeding were published online (<https://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx>) on March 18, 2020. Additionally the Combined Notice of Proposed Rulemaking (Stakeholder meeting and Oral Proceeding) were published in Apache Junction News on March 25, 2020 and Casa Grande Dispatch on March 26, 2020. A virtual stakeholder meeting was held on May 5, 2020 and four attendees participated. A virtual Control Officer Oral Proceeding was held on May 12, 2020 and had three attendees. The public comment period ended at the Close of Business on May 12, 2020 and no formal comments were received.

AIR QUALITY

7. Evidence of Legal Adoption



NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY BOARD OF SUPERVISORS
AGENDA FOR REGULAR SESSION
Wednesday, July 1, 2020

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

PLEDGE OF ALLEGIANCE - INVOCATION
BUSINESS BEFORE THE BOARD
(Consideration/Approval/Disapproval of the following:)

(1) Call to Public -

The in-person public comment portion of the Pinal County Board of Supervisors meetings will be suspended until further notice, however, comments can be submitted to the Clerk of the Board by close of business (5:00 p.m.) the day prior to the meeting. Comments may be emailed to ClerkoftheBoard@pinal.gov and shall be no more than 250 words.

Board of Supervisors meetings are broadcasted live and the public may access the meeting at <https://www.pinalcountyz.gov/bos/Pages/LiveStreaming.aspx>

(2) [County Manager's Report \(Information Only\)](#). (Louis Andersen)

(3) [Purchasing Division Report - July 1, 2020](#) (Shonna McBride/Lori Pruitt)

(4) **CONSENT ITEMS:**

All items indicated by an asterisk (*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

- * A. [Discussion/approval/disapproval of Minutes from June 10, 2020, Special Session, June 17, 2020, Regular Meeting, June 19, 2020, Special Session, and June 24, 2020, Special Session of the Board of Supervisors.](#) (Nataasha Kennedy)
- * B. [Discussion/approval/disapproval of the current billings before the Board.](#) (Nataasha Kennedy)
- * C. [Discussion/approval/disapproval of Supervisor Rios' reappointment of Scott Riggins, 9372 East Las Campanas Road, Coolidge, AZ 85128 to the Planning & Zoning Commission. Mr. Riggins' Term of Service will be August 16, 2020, to August 15, 2024.](#) (Nataasha Kennedy)
- * D. [Discussion/approval/disapproval of the request for Judith Mills, Lana Hoffman, Judith A. Dangler, Martha Gayle Dunning, Dorothy M. Davenport, Iva M. Cline, Roberta E. Fendley, Michael W. Price, and Paige M. Price to be allowed to file for widow/widowers and/or disabled persons or non-profit organization tax exemption.](#) (Nataasha Kennedy)
- * E. [Board of Supervisors, sitting as the Board of Equalization, for ratification of Hearing Officer decisions from the Board of Equalization \(BOE\) Hearings on Petition for Review of Proposed Correction Personal Property held on June 29, 2020, pursuant to A.R.S. 42-16252.](#) (Nataasha Kennedy)
- * F. [Discussion/approval/disapproval of the appointments to the Pinal County Audit Committee for District #2, Town of Florence Finance Director and District #3, City of Casa Grande Finance Director.](#) (Nataasha Kennedy)
- * G. [Discussion/approval/disapproval authorizing and delegating the County Manager or his designee the ability to appoint, employ, and exercise day to day supervisory responsibilities over the Public Defender and Legal Defender.](#) Resolution No. 070120-PCPD. (Louis Andersen)
- * H. [Discussion/approval/disapproval of A.R.S. 41-1279.07\(E\) which requires each county, city, town, and community college district to annually provide to the Auditor General by July 31 the name of the Chief Fiscal Officer \(CFO\) the governing body has designated to officially submit the current year's annual expenditure limitation report \(AELR\) on the governing body's behalf. Action on Resolution No. 070120-CFO will designate Lori Pruitt to officially submit the current year's annual expenditure limitation report \(AELR\) on the Board's behalf.](#) (Lori Pruitt/Louis Andersen)
- * I. [Discussion/approval/disapproval of the following Republican Precinct Committee Person resignation: Pct 13, Brady, George, P., 4755 W. Agave Court, Eloy, AZ, 85135.](#) (Michele Forney/Himanshu Patel)
- * J. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Central Arizona Water Conservation District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * K. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Picacho Domestic Water Improvement District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * L. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Santa Cruz Valley Union High School District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * M. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Thunderbird Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * N. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Arizona City Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * O. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Maricopa Consolidated DWID and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * P. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Maricopa Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * Q. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Oracle Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * R. [Discussion/approval/disapproval of the Intergovernmental Agreement between the San Manuel Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * S. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Valle Escondido DWID and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * T. [Discussion/approval/disapproval of the Intergovernmental Agreement between the Maricopa Unified School District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election.](#) (Michele Forney/Himanshu Patel)
- * U. [Discussion/approval/disapproval of August 4, 2020, Primary Election Poll Workers, pursuant to A.R.S. 16-531, the Board of Supervisors must appoint election boards for each precinct.](#) (Michele Forney/Himanshu Patel)
- * V. [Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-NAC a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for Native American Connections.](#) (Heather Patel/Lori Pruitt)
- * W. [Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-NABI a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for NABI Foundation.](#) (Heather Patel/Lori Pruitt)
- * X. [Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-RSK a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for Raising Special Kids.](#) (Heather Patel/Lori Pruitt)
- * Y. [Discussion/approval/disapproval of the lease agreement between Pinal County and Trafelet Properties, LLC for office space located at 41600 W. Smith Enke Rd. Bldg. 12 Ste. 128, Maricopa, AZ 85138. This total cost is \\$9,300 for the 6 month lease period. This space is utilized by Supervisor Smith and a staff member.](#) (Pamela Villarreal/Lori Pruitt)
- * Z. [Discussion/approval/disapproval of the lease agreement between Pinal County and Arizona Board of Regents on behalf of The University of Arizona for the office space located at 820 Cottonwood Ln. Bldg E, Casa Grande, AZ, 85122. This is a one year renewal lease starting August 1, 2020, through July 31, 2021, at the monthly rent of \\$1,200.](#) (Pamela Villarreal/Lori Pruitt)
- * AA. [Discussion/approval/disapproval revisions to the Citizen Participation Plan for the Community Development Block Grant Program in order to provide citizen input on the use of CDBG-CV funds.](#) (Heather Patel/Lori Pruitt)
- * AB. [Discussion/approval/disapproval of the APS Utility Easement Agreement for the new Development Services Building Project.](#) (Hattie Sturgill/Archie Carreon)

- * AC. [Discussion/approval/disapproval of authorization to the Emergency Manager, Charles Kmet, to apply for reimbursement from the Arizona Department of Emergency Management in the amount of \\$109,457.91 for Category C, in connection with Hurricane Rosa. \(GA19-037\) \(Charles Kmet/Scott Bender\)](#)
- * AD. [Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and Maricopa Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #4. \(GA19-038\) \(Charles Kmet/Scott Bender\)](#)
- * AE. [Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and the Florence Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #2. \(GA19-039\) \(Charles Kmet/Scott Bender\)](#)
- * AF. [Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and Oracle Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #1. \(GA19-040\) \(Charles Kmet/Scott Bender\)](#)
- * AG. [Discussion/approval/disapproval of a Purchase Agreement in the amount of \\$180,000 for 40 acres of real property owned by Gerald D. Cross and Frankie G. Cross and escrow fees are estimated at \\$2,529 with a total purchase of \\$182,529. This property is located within Section 26, T8S, R8E, and will be used as a material pit for Pinal County Public Works. Supervisor District #1. \(GA19-041\) \(Joe Ortiz/Scott Bender\)](#)
- * AH. [Discussion/approval/disapproval of First Amendment to Intergovernmental Agreement between Pinal County and the City of Apache Junction Defining Responsibility for Road Maintenance of Superstition Mountain Drive, South Mountain View Road, and Southern Avenue. Supervisor District #5. \(GA19-042\) \(Joe Ortiz/Scott Bender\)](#)
- * AI. [Discussion/approval/disapproval of Lease Agreement between Pinal County and the Florence Unified School District No.1 for Walker Butte K-8, Phase II, Building 15 & 16 in the amount of \\$3,000 per month, commencing on July 1, 2020, and terminating on June 30, 2021. Supervisor District #2. \(GA19-043\) \(Joe Ortiz/Louis Andersen\)](#)
- * AJ. [Discussion/approval/disapproval of Lease Agreement between Pinal County and the Florence Unified School District No.1 for Walker Butte K-8, Phase II, Building 17 & 18 in the amount of \\$3,000 per month, commencing on July 1, 2020, and terminating on June 30, 2021. Supervisor District #2. \(GA19-044\) \(Joe Ortiz/Scott Bender\)](#)
- * AK. [Discussion/approval/disapproval of a Corrective Quit Claim Deed to 45030, LLC, correcting an error in a prior recorded Corrective Quit Claim Deed, recorded August 29, 2017, at Fee Number 2017-062369. Supervisor District #4. \(RD19-088\) \(Robert Pate/Scott Bender\)](#)
- * AL. [Discussion/approval/disapproval for the Coronavirus Emergency Supplemental Funding Program Award \(#ACESF-21-043\) between the Arizona Criminal Justice Commission and the Pinal County Attorneys Office, through the Pinal County Board of Supervisors in the amount of \\$140,720. The funds will be used for equipment and supplies. The acceptance requires an amendment to the FY 19/20 budget to transfer reserve appropriation only from Fund 213 \(Grants/Project Contingency\) to Fund 268 \(Co Atty Misc Grants\) to increase revenue and expenditure appropriations. There is no impact on the General Fund. \(Kent Volkmer\)](#)
- * AM. [Discussion/approval/disapproval of the appointment of Harold Christ to the Pinal County Workforce Development Board for the term beginning July 1, 2020, through July 31, 2022. This appointment has been reviewed, accepted and recommended for approval by the Executive Committee of the Pinal County Workforce Development Board on June 11, 2020. \(Joel Millman/Tim Kanavel\)](#)
- * AN. [Discussion/approval/disapproval of the Arizona Voter Information Database \(AVID\) Cost Sharing Agreement for the annual software maintenance for the database. \(Virginia Ross\)](#)
- * AO. [Discussion/approval/disapproval of the Mutual Aid Agreement for Emergency Services between the City of Casa Grande and Pinal County. \(Mark Lamb\)](#)
- * AP. [Discussion/approval/disapproval of FY 20/21 Intergovernmental Agreement between Pima County and Pinal County, to incarcerate Pinal County's juvenile prisoners in the Pima County Adult Detention Complex. \(Mark Lamb\)](#)
- * AQ. [Discussion/approval/disapproval for Award Agreement \(No. 2020-VD-BX-0793\) between the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the BJA FY 20 Coronavirus Emergency Supplemental Funding Program in the amount of \\$63,379. This grant has been budgeted for FY 20/21. There is no impact on the General Fund. \(Mark Lamb\)](#)
- * AR. [Discussion/approval/disapproval for the Amended Award Agreement \(No. GFR-AZ911-20-008T\) between the Arizona Department of Administration and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the Arizona Text to 9-1-1 Program. The amendment changes the term to begin on July 1, 2020, and terminate on June 30, 2025. The grant has been budgeted for FY 20/21. There is no impact on the General Fund. \(Mark Lamb\)](#)
- * AS. [Discussion/approval/disapproval for Award Agreement \(No. ADOA-AZ911-21-013\) between the Arizona Department of Administration and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the 9-1-1 Grant Program in the amount of \\$566,394. The program is designed to assist Public Safety Answering Points to perform activities related to the implementation and operation of their respective emergency telecommunication system. The grant has been budgeted for FY 20/21. There is no impact on the General Fund. \(Mark Lamb\)](#)
- * AT. [Discussion/approval/disapproval of Interagency Service Agreement No. DT-HTG-2020-009. AzTraCS use between the Arizona Department of Transportation \(ADOT\) and Pinal County through the Pinal County Sheriff's Department for the purpose of outlining responsibilities for the use of the software, state standard data entry forms, and associated data files, central-site database schema, XML Electronic Incident Data Submission \(EIDS\) and all associated documentation/instructions \(collectively hereinafter referred to as Arizona Traffic and Criminal Software, or AzTraCS\). \(Mark Lamb\)](#)

(5) [Meeting of the Flood Control District Board of Directors. \(Christopher Wanamaker/Scott Bender\)](#)

(6) [Meeting of the Pinal County Library District Board of Directors. \(Alex Conrad/Leo Lew\)](#)

(7) [Meeting of the Public Health Services District Board of Directors. \(Shauna McLissac/Leo Lew\)](#)

(8) [Discussion/approval/disapproval to set the Clerk of the Board of Supervisors' salary to midpoint effective June 28, 2020, adhering to the FY 2019-2020 Pinal County Market Adjustment and Equity Compensation Plan approved by the Board June 17, 2020. \(Mary Ellen Sheppard/Chairman Smith\)](#)

(9) [**Public Hearing** and discussion/approval/disapproval in accordance with A.R.S. 42-17104 and A.R.S. 42-17107 \(Truth in Taxation Hearing\) of Resolution No. 070120-01-PCB for the adoption of the Pinal County FY 2020-2021 budget, beginning July 1, 2020, ending June 30, 2021, in accordance with A.R.S. 42-17105 in the amount of \\$570,355,462 with a tax rate of \\$3.7500. \(Angeline Woods/Louis Andersen\)](#)

(10) [Discussion/approval/disapproval of the FY 2020-2021 Pinal County Employee Compensation Plan, Across-the-Board Salary Adjustment which establishes guidelines for an across-the-board salary adjustment in order to compensate employees who meet or exceed performance standards; encourage recruitment and retention; and maintain consistency in the County's market position so that the County continues to have the engaged workforce needed to provide quality services to its residents. \(Mary Ellen Sheppard/Louis Andersen\)](#)

(11) [**Public Hearing** and discussion/approval/disapproval of the Amendments to the FY 2019 Annual Action Plan in order to accept and expend Community Development Block Grant - CARES Act funds in the amount of \\$1,082,111. \(Heather Patel/Lori Pruitt\)](#)

(12) [**Public Hearing** and discussion/approval/disapproval of Resolution No. 070120-AQ1, a Resolution pursuant to Title 49 of the Arizona Revised Statutes, adopting proposed changes to local air quality rules. The changes include required revisions to local emissions reporting requirements for industrial sources. If approved, the proposed changes will be submitted to the Environmental Protection Agency through the Arizona Department of Environmental Quality as elements of the Arizona State Implementation Plan. Required notices have been published, posted and e-mailed, and the full text of the proposed changes was published online on March 18, 2020. The Board may choose to adopt the Resolution, approving all, part or none of the proposed changes. \(Mike Sundblom/Himanshu Patel\)](#)

(13) [**Public Hearing** and discussion/approval/disapproval of Resolution No. 070120-AQ2, a Resolution pursuant to Title 49 of the Arizona Revised Statutes, adopting proposed changes to local air quality rules. The changes include rescission of the Pinal County Hazardous Air Pollutants program. Required notices have been published, posted and e-mailed, and the full text of the proposed changes was published online on March 27, 2020. The Board may choose to adopt the Resolution, approving all, part or none of the proposed changes. \(Mike Sundblom/Himanshu Patel\)](#)

(14) [**Executive Session** pursuant to A.R.S. 38-431.03 \(A\)\(3\) for legal advice regarding COVID-19 related Federal, State, or County Programs and Pinal County's ability and options for slowing and controlling the spread of COVID-19 in Pinal County. \(Chris Keller/Louis Andersen\)](#)

ADJOURNMENT

(SUPPORTING DOCUMENTS ARE AVAILABLE AT THE CLERK OF THE BOARD OF SUPERVISORS' OFFICE AND AT <https://pinal.novusagenda.com/AgendaPublic/>)

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

The Board may go into Executive Session for the purpose of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Supervisors and Pinal County Board of Directors do not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Clerk of the Board Office at (520) 866-6068, at least (3) three business days prior to the meeting (not including weekends or holidays) so that your request may be accommodated.



AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #: 086

Dept. #: 3140180

Dept. Name: Air Quality

Director: Mike Sundblom

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Public Hearing and discussion/approval/disapproval of Resolution No. 070120-AQ1, a Resolution pursuant to Title 49 of the Arizona Revised Statutes, adopting proposed changes to local air quality rules. The changes include required revisions to local emissions reporting requirements for industrial sources. If approved, the proposed changes will be submitted to the Environmental Protection Agency through the Arizona Department of Environmental Quality as elements of the Arizona State Implementation Plan. Required notices have been published, posted and e-mailed, and the full text of the proposed changes was published online on March 18, 2020. The Board may choose to adopt the Resolution, approving all, part or none of the proposed changes. (Mike Sundblom/Himanshu Patel)

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

Approve as presented

History Time	Who	Approval
6/18/2020 9:53 AM	County Attorney	Yes
6/18/2020 9:53 AM	Air Quality	Yes
6/18/2020 10:38 AM	County Manager	Yes
6/23/2020 2:18 PM	Clerk of the Board	Yes

ATTACHMENTS:

Click to download

[Resolution](#)

[Memo](#)

[Presentation](#)

When recorded return to:
Clerk of the Board
Pinal County
P.O. Box 827
Florence, Arizona 85232

PINAL COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 070120-AQ1
PINAL COUNTY AIR QUALITY CONTROL DISTRICT

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PINAL COUNTY, ADOPTING CERTAIN REVISIONS TO THE PINAL COUNTY AIR QUALITY CONTROL DISTRICT RULES AND REQUESTING THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY SUBMIT THE REVISIONS TO THE ENVIRONMENTAL PROTECTION AGENCY AS AN ELEMENT OF THE ARIZONA STATE IMPLEMENTATION PLAN.

WHEREAS, the Pinal County Board of Supervisors ("Board") is empowered under A.R.S. §49-479 to adopt rules for the purpose of controlling the release of air contaminants within the County;

WHEREAS, the Environmental Protection Agency (EPA) revised the 8-hour ozone National Ambient Air Quality Standards (NAAQS) in 2015 (from 0.075 ppm to 0.070 ppm) and the ozone nonattainment area was expanded in Pinal County to cover Queen Valley and San Tan Valley ;

WHEREAS, on December 8, 2018, the EPA published a final rule on the implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 FR 62993). One of the Clean Air Act (CAA) requirements for a Marginal nonattainment area includes An Emissions Statement (CAA Section 182(a)(3)(B)).

WHEREAS, the EPA final rule on implementation of the 2015 ozone NAAQS required submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area (August 3, 2020);

WHEREAS, A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements.

WHEREAS, Pinal County in coordination with stakeholders, EPA and Arizona Department of Environmental Quality (ADEQ) developed the proposed rule revisions (§3-1-103).;

WHEREAS, to the extent applicable, the District has complied with the notice-publication and other public notification requirements of A.R.S. §§49-471.04 and 49-479, and 40 C.F.R. §51-102, including a combined notice of proposed rulemaking and oral proceeding published online <https://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx> March 18, 2020 and in local newspapers;

WHEREAS, the proposed rule changes will go into effect on date of Board adoption;

WHEREAS, the elements of the final proposed changes in the County's air quality rules are set forth below in full;

THEREFORE, FOR THE PURPOSE OF PROTECTING AND PRESERVING THE QUALITY OF AIR WITHIN THE COUNTY IN A SENSIBLE AND ORDERLY MANNER, IT IS HEREBY RESOLVED BY THE BOARD TO:

- 1. Adopt the Pinal County Air Quality Control District Code of Regulations changes reflected in the revised rule attached in Exhibit A.**
- 2. Direct Pinal County Air Quality to submit the adopted rule (excluding §1-1-105) to the Arizona Department of Environmental Quality (ADEQ) with the request that it be submitted to the Environmental Protection Agency (EPA) for inclusion in the Arizona State Implementation Plan (SIP).**

Exhibit A

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

1. Chapter 1
 - a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
 - b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
 - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
2. Chapter 2
 - a. Article 1. (As amended 10/12/95).
 - b. Article 2. (As amended 5/14/97), excluding:
 - i. §2-2-090 (as amended 5/14/97)
 - c. Article 3. (As amended 10/12/95).
 - d. Article 4. (As amended 10/12/95).
 - e. Article 5. (As amended 10/12/95).
 - f. Article 6. (As amended 10/12/95).
 - g. Article 7. (As amended 10/12/95).
 - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
3. Chapter 3
 - a. Article 1. (As amended 5/14/97, ~~and 5/27/98, and 7/12/00, and 7/1/20~~), excluding:
 - i. §3-1-020
 - ii. §3-1-045
 - iii. §3-1-080
 - iv. §3-1-100
 - v. §3-1-150 (as amended 5/14/97)
 - vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - d. Article 8. (As amended 10/12/95 and 10/27/04).
4. Chapter 4
 - a. Article 1. (As amended 2/22/95).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)

- iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. §4-9-320 (As amended 6/3/09)
 - ii. §4-9-340 (As amended 6/3/09)
- 5. Chapter 5
 - a. Article 13. (as amended 11/30/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
 - a. Article 20. (as amended 11/30/16)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
 - 1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
 - 2. "modification," as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
 - 1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
 - 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 - 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 - 4. Operate as an element of the SIP, at least insofar as they require a "certification";
 - 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 - 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
 - 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
 - 1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
 - 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
 - 3. Chapter 3, Article 8 (2/22/95) *Open Burning*

4. [Reserved]
5. [Reserved]
6. [Reserved]
7. [Reserved]
8. [Reserved]
9. [Reserved]
10. [Reserved]
11. [Reserved]
12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*

3-1-103. Annual emissions inventory questionnaire and emissions statement

A. Emissions Inventory Questionnaire and Emissions Statement

Requirements

- ~~A1.~~ Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit to the Control Officer an annual emissions inventory questionnaire and emissions statement. ~~The questionnaire and emissions statement is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- ~~B2.~~ The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:
 - ~~1a.~~ The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - ~~2b.~~ Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.

- 3c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
- ai. Any single regulated air pollutant in a quantity greater than one ton.
 - bii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
- d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.
- ~~C5. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission of data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~
- The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NO_x or VOC if the NO_x or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
 - a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.

- b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
- c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
- d. When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
- e. When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).
- f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

IN WITNESS WHEREOF, the undersigned, in accord with the vote of the Pinal County Board of Supervisors as duly reflected in the minutes of the Board meeting, have executed this document on behalf of the Board of Supervisors on this _____ day of _____, 2020.

PINAL COUNTY, a political subdivision of the State of Arizona,

By: _____
Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Kent Volkmer,
Pinal County Attorney

By: _____
Deputy County Attorney



MEMORANDUM FROM AIR QUALITY

Date: June 16, 2020

To: Pinal County Board of Supervisors

Re: Proposed SIP rulemaking (annual emissions inventory reporting rule)

From: Michael Sundblom

The following is background information for the proposed rulemaking that is being presented to the Pinal County Board of Supervisors on July 1, 2020.

- The Environmental Protection Agency (EPA) revised the ozone National Ambient Air Quality Standards (NAAQS) in 2015 (from 0.075 parts per million (ppm) to 0.070 ppm).
- The original ozone nonattainment area which encompassed the Phoenix metropolitan area and a small portion of Pinal County (Apache Junction) was expanded for the 2015 ozone NAAQS eastward into Queen Valley and also southward into San Tan Valley. The nonattainment area classification is marginal (lowest level of nonattainment area classifications).
- On December 6, 2018, EPA published a final implementation rule for the 2015 ozone NAAQS. One of the requirements for marginal nonattainment areas is related to an emissions statement (Clean Air Act Section 182(a)(3)(B)).
 - The State is required to submit a revision to the Arizona State Implementation Plan (SIP) which requires the owner or operator of each stationary source of nitrogen oxides (NO_x) or volatile organic compounds (VOC) in the ozone nonattainment area provide the State (or local air quality agency) with a statement showing the actual emissions of NO_x or VOC from that source.
- The EPA final implementation rule requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area (August 3, 2020). A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements. Thus necessitating this rulemaking.
- The proposed rulemaking started on March 18th with the Combined Notice of Proposed Rulemaking and Oral Proceeding posted on the Pinal County Air Quality website and also posted in County buildings and published in local newspapers. A stakeholder meeting was held virtually on May 5th with several people in attendance. The Control Officer Oral Proceeding was held virtually on May 12th with several people in attendance. No formal comments were submitted by the end of the public comment period (Close of Business on May 12th).

AIR QUALITY

Pinal County Air Quality Control District

(PCAQCD)

§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement

State Implementation Plan (SIP) Rulemaking
Board of Supervisors Public Hearing

July 1, 2020



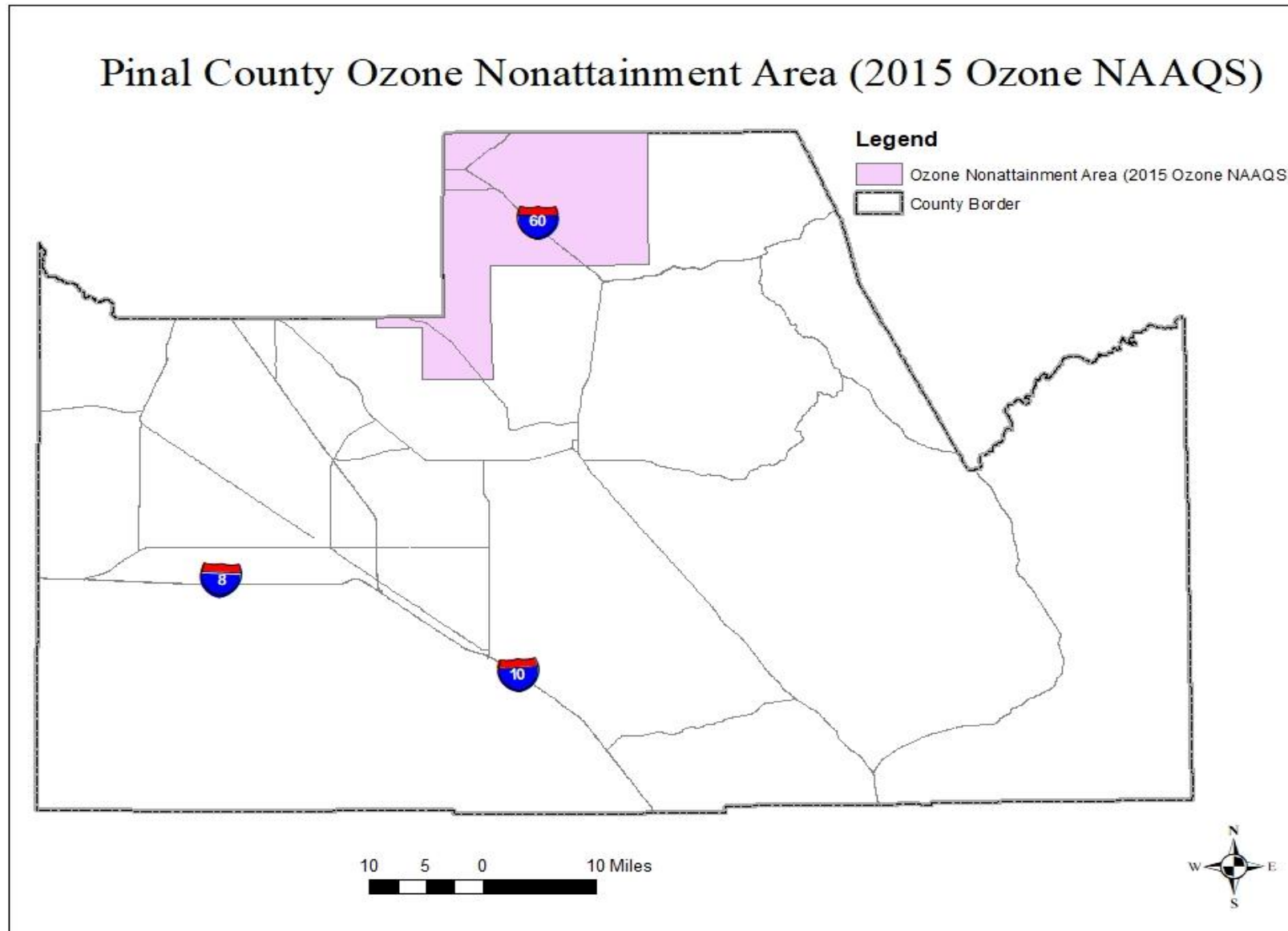
PINAL COUNTY

WIDE OPEN OPPORTUNITY

Purpose of Rulemaking

- Revision of Ozone Health Standard in 2015 (from 0.075 ppm to 0.070 ppm)
- Previous ozone nonattainment area [NAA] (covered the Phoenix metro and northern Pinal County) was expanded east and south in the Pinal County portion to include Gold Canyon, Queen Valley and San Tan Valley.
- The new 2015 ozone NAA was classified marginal.
- Clean Air Act requires an emissions statement –Section 182(a)(3)(B)

2015 Ozone NAA – Pinal County Portion



Current rule (§3-1-103)

- **3-1-103. Annual emissions inventory questionnaire**
- A. **Every source** subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, **shall complete and submit to the Control Officer an annual emissions inventory questionnaire**. The questionnaire is due by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.
- B. The questionnaire shall be on a form provided by the Control Officer and shall include the following information:
 - 1. The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
 - 2. Process information for the source, including design capacity, operations schedule, and emissions control devices, their description and efficiencies.
 - 3. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, of:
 - a. Any single regulated air pollutant in a quantity greater than one ton.
 - b. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
- C. The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.
- [Adopted effective November 3, 1993. Amended February 22, 1995. Amended October 27, 2004.]
-

Proposed rule changes

- New “emissions statement” language to align with Clean Air Act (CAA) language (Section 182)
- Define specific classes of permits (Class I, II, III) required to submit annual emissions inventory questionnaire and emissions statement
- New language from CAA Section 182 related to A certification by a responsible official of truth, accuracy, and completeness.
- New language about amendments to previously submitted questionnaires, giving sources the opportunity to correct found inaccuracies for submittals within past two years.
- New language – Control Officer may require additional emissions information related to emissions monitoring at their particular facility, including related to Federal or County hazardous air pollutant programs.

Proposed rule changes (continued)

- Removal of ambiguous/outdated Control Officer waiver language and replace with more specific waiver language (i.e. stationary sources with emissions less than 25 tons/year which are in the baseline and periodic ozone emissions inventories).
- Addition of clearly defined emissions estimation methodologies

Rulemaking Timeline

- Stakeholder meeting – May 5th (4 attendees – SRP, Consultant, City of Maricopa, Town of Queen Creek)
- Control Officer Oral Proceeding May 12th (3 attendees – Hexcel, City of Maricopa, Town of Queen Creek)
 - No public comments received
- Today's Pinal County Board of Supervisors (BOS) Public Hearing
- After BOS Adoption – submittal to ADEQ for submittal to EPA.
- SIP submittal is due to EPA by August 3, 2020



**PINAL COUNTY BOARD OF SUPERVISORS
REGULAR SESSION ACTION SUMMARY
Wednesday, July 1, 2020
9:30 AM**

BOARD OF SUPERVISORS

Chairman Anthony Smith
Supervisor, District 4

Vice-Chairman Pete Rios
Supervisor, District 1

Mike Goodman
Supervisor, District 2

Stephen Q Miller
Supervisor, District 3

Todd House
Supervisor, District 5

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

All Presentations are attached to the Agenda at:
<https://pinal.novusagenda.com/AgendaPublic/MeetingView.aspx?MeetingID=1303&MinutesMeetingID=-1&doctype=Agenda>

and a Video Recording of this meeting can be viewed at:
<https://pinalcountyaz.swagit.com/play/07012020-565>

The Pinal County Board of Supervisors convened at 9:30 a.m. this date. The meeting was called to order by Chairman Smith followed by an Invocation by Clerk of the Board, Natasha Kennedy and the pledge of Allegiance by Supervisor Goodman.

Members Present: Chairman Anthony Smith; Vice-Chairman Pete Rios; Supervisor Mike Goodman; Supervisor Stephen Q. Miller; Supervisor Todd House

Staff Present: County Manager, Louis Andersen; Chief Civil Deputy County Attorney, Chris Keller and Clerk of the Board, Natasha Kennedy

(1) Call to Public -

The in-person public comment portion of the Pinal County Board of Supervisors meetings will be suspended until further notice, however, comments can be submitted to the Clerk of the Board by close of business (5:00 p.m.) the day prior to the meeting. Comments may be emailed to ClerkoftheBoard@pinal.gov and shall be no more than 250 words.

Board of Supervisors meetings are broadcasted live and the public may access the meeting at <https://www.pinalcountyaz.gov/bos/Pages/LiveStreaming.aspx>

Item Action: No Public Comment

(2) County Manager's Report (Information Only). (Louis Andersen)

Item Action: Information Only

(3) Purchasing Division Report - July 1, 2020 (Shonna McBride/Lori Pruitt)

Item Action: Approved

(4) **CONSENT ITEMS:**

All items indicated by an asterisk (*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

- * A. Discussion/approval/disapproval of Minutes from June 10, 2020, Special Session, June 17, 2020, Regular Meeting, June 19, 2020, Special Session, and June 24, 2020, Special Session of the Board of Supervisors. (Natasha Kennedy)

Item Action: Approved

- * B. Discussion/approval/disapproval of the current billings before the Board. (Natasha Kennedy)

Item Action: Approved

- * C. Discussion/approval/disapproval of Supervisor Rios' reappointment of Scott Riggins, 9372 East Las Campanas Road, Coolidge, AZ 85128 to the Planning & Zoning Commission. Mr. Riggins' Term of Service will be August 16, 2020, to August 15, 2024. (Natasha Kennedy)

Item Action: Approved

- * D. Discussion/approval/disapproval of the request for Judith Mills, Lana Hoffman, Judith A. Dangler, Martha Gayle Dunning, Dorothy M. Davenport, Iva M. Cline, Roberta E. Fendley, Michael W. Price, and Paige M. Price to be allowed to file for widow/widowers and/or disabled persons or non-profit organization tax exemption. (Natasha Kennedy)

Item Action: Approved

- * E. Board of Supervisors, sitting as the Board of Equalization, for ratification of Hearing Officer decisions from the Board of Equalization (BOE) Hearings on Petition for Review of Proposed Correction Personal Property held on June 29, 2020, pursuant to A.R.S. 42-16252. (Natasha Kennedy)

Item Action: Approved

- * F. Discussion/approval/disapproval of the appointments to the Pinal County Audit Committee for District #2, Town of Florence Finance Director and District #3, City of Casa Grande Finance Director. (Natasha Kennedy)

Item Action: Approved

- * G. Discussion/approval/disapproval authorizing and delegating the County Manager or his designee the ability to appoint, employ, and exercise day to day supervisory responsibilities over the Public Defender and Legal Defender, Resolution No. 070120-PCPD. (Louis Andersen)

Item Action: Approved

- * H. Discussion/approval/disapproval of A.R.S. 41-1279.07(E) which requires each county, city, town, and community college district to annually provide to the Auditor General by July 31 the name of the Chief Fiscal Officer (CFO) the governing body has designated to officially submit the current year's annual expenditure limitation report (AELR) on the governing body's behalf. Action on Resolution No. 070120-CFO will designate Lori Pruitt to officially submit the current year's annual expenditure limitation report (AELR) on the Board's behalf. (Lori Pruitt/Louis Andersen)

Item Action: Approved

- * I. Discussion/approval/disapproval of the following Republican Precinct Committee Person resignation: Pct 13, Brady, George, P., 4755 W. Agave Court, Eloy, AZ, 85135.
(Michele Forney/Himanshu Patel)
Item Action: Approved
- * J. Discussion/approval/disapproval of the Intergovernmental Agreement between the Central Arizona Water Conservation District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * K. Discussion/approval/disapproval of the Intergovernmental Agreement between the Picacho Domestic Water Improvement District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * L. Discussion/approval/disapproval of the Intergovernmental Agreement between the Santa Cruz Valley Union High School District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * M. Discussion/approval/disapproval of the Intergovernmental Agreement between the Thunderbird Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * N. Discussion/approval/disapproval of the Intergovernmental Agreement between the Arizona City Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * O. Discussion/approval/disapproval of the Intergovernmental Agreement between the Maricopa Consolidated DWID and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * P. Discussion/approval/disapproval of the Intergovernmental Agreement between the Golder Ranch Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * Q. Discussion/approval/disapproval of the Intergovernmental Agreement between the Oracle Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * R. Discussion/approval/disapproval of the Intergovernmental Agreement between the San Manuel Fire District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * S. Discussion/approval/disapproval of the Intergovernmental Agreement between the Valle Escondido DWID and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * T. Discussion/approval/disapproval of the Intergovernmental Agreement between the Maricopa Unified School District and the Pinal County Elections Department for the preparation and conduct of the consolidated November 3, 2020, General Election. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * U. Discussion/approval/disapproval of August 4, 2020, Primary Election Poll Workers. pursuant to A.R.S. 16-531, the Board of Supervisors must appoint election boards for each precinct. (Michele Forney/Himanshu Patel)
Item Action: Approved
- * V. Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-NAC a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for Native American Connections. (Heather Patel/Lori Pruitt)
Item Action: Approved
- * W. Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-NABI a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for NABI Foundation. (Heather Patel/Lori Pruitt)
Item Action: Approved
- * X. Discussion/approval/disapproval of Resolution No. 070120-AKCHIN-RSK a Resolution authorizing the submission of an application for the Ak-Chin Indian Community Shared Revenue Program Funds for Raising Special Kids. (Heather Patel/Lori Pruitt)
Item Action: Approved
- * Y. Discussion/approval/disapproval of the lease agreement between Pinal County and Trafelet Properties, LLC for office space located at 41600 W. Smith Enke Rd. Bldg. 12 Ste. 128, Maricopa, AZ 85138. This total cost is \$9,300 for the 6 month lease period. This space is utilized by Supervisor Smith and a staff member. (Pamela Villarreal/Lori Pruitt)
Item Action: Approved
- * Z. Discussion/approval/disapproval of the lease agreement between Pinal County and Arizona Board of Regents on behalf of The University of Arizona for the office space located at 820 Cottonwood Ln. Bldg E, Casa Grande, AZ. 85122. This is a one year renewal lease starting August 1, 2020, through July 31, 2021, at the monthly rent of \$1,200. (Pamela Villarreal/Lori Pruitt)
Item Action: Approved
- * AA. Discussion/approval/disapproval revisions to the Citizen Participation Plan for the Community Development Block Grant Program in order to provide citizen input on the use of CDBG-CV funds. (Heather Patel/Lori Pruitt)
Item Action: Approved
- * AB. Discussion/approval/disapproval of the APS Utility Easement Agreement for the new Development Services Building Project. (Hattie Sturgill/Archie Carreon)
Item Action: Approved
- * AC. Discussion/approval/disapproval of authorization to the Emergency Manager, Charles Kmet, to apply for reimbursement from the Arizona Department of Emergency Management in the amount of \$109,457.91 for Category C, in connection with Hurricane Rosa. (GA19-037) (Charles Kmet/Scott Bender)
Item Action: Approved
- * AD. Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and Maricopa Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #4. (GA19-038) (Charles Kmet/Scott Bender)
Item Action: Approved
- * AE. Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and the Florence Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #2. (GA19-039) (Charles Kmet/Scott Bender)
Item Action: Approved
- * AF. Discussion/approval/disapproval of Agreement for the Placement Operation and Use of a CERT Vehicle between Pinal County and Oracle Fire Department. The Emergency Management will receive reimbursement of 25% of the total price of the vehicle. Supervisor District #1. (GA19-040) (Charles Kmet/Scott Bender)
Item Action: Approved

- * AG. Discussion/approval/disapproval of a Purchase Agreement in the amount of \$180,000 for 40 acres of real property owned by Gerald D. Cross and Frankie G. Cross and escrow fees are estimated at \$2,529 with a total purchase of \$182,529. This property is located within Section 26, T8S, R8E, and will be used as a material pit for Pinal County Public Works, Supervisor District #1. (GA19-041) (Joe Ortiz/Scott Bender)
Item Action: Approved
- * AH. Discussion/approval/disapproval of First Amendment to Intergovernmental Agreement between Pinal County and the City of Apache Junction Defining Responsibility for Road Maintenance of Superstition Mountain Drive, South Mountain View Road, and Southern Avenue. Supervisor District #5. (GA19-042) (Joe Ortiz/Scott Bender)
Item Action: Approved
- * AI. Discussion/approval/disapproval of Lease Agreement between Pinal County and the Florence Unified School District No.1 for Walker Butte K-8, Phase II, Building 15 & 16 in the amount of \$3,000 per month, commencing on July 1, 2020, and terminating on June 30, 2021. Supervisor District #2. (GA19-043) (Joe Ortiz/Louis Andersen)
Item Action: Approved
- * AJ. Discussion/approval/disapproval of Lease Agreement between Pinal County and the Florence Unified School District No.1 for Walker Butte K-8, Phase II, Building 17 & 18 in the amount of \$3,000 per month, commencing on July 1, 2020, and terminating on June 30, 2021. Supervisor District #2. (GA19-044) (Joe Ortiz/Scott Bender)
Item Action: Approved
- * AK. Discussion/approval/disapproval of a Corrective Quit Claim Deed to 45030, LLC, correcting an error in a prior recorded Corrective Quit Claim Deed, recorded August 29, 2017, at Fee Number 2017-062369. Supervisor District #4. (RD19-088) (Robert Pate/Scott Bender)
Item Action: Approved
- * AL. Discussion/approval/disapproval for the Coronavirus Emergency Supplemental Funding Program Award (#ACESF-21-043) between the Arizona Criminal Justice Commission and the Pinal County Attorneys Office, through the Pinal County Board of Supervisors in the amount of \$140,720. The funds will be used for equipment and supplies. The acceptance requires an amendment to the FY 19/20 budget to transfer reserve appropriation only from Fund 213 (Grants/Project Contingency) to Fund 268 (Co Atty Misc Grants) to increase revenue and expenditure appropriations. There is no impact on the General Fund. (Kent Volkmer)
Item Action: Approved
- * AM. Discussion/approval/disapproval of the appointment of Harold Christ to the Pinal County Workforce Development Board for the term beginning July 1, 2020, through July 31, 2022. This appointment has been reviewed, accepted and recommended for approval by the Executive Committee of the Pinal County Workforce Development Board on June 11, 2020. (Joel Millman/Tim Kanavel)
Item Action: Approved
- * AN. Discussion/approval/disapproval of the Arizona Voter Information Database (AVID) Cost Sharing Agreement for the annual software maintenance for the database. (Virginia Ross)
Item Action: Approved
- * AO. Discussion/approval/disapproval of the Mutual Aid Agreement for Emergency Services between the City of Casa Grande and Pinal County. (Mark Lamb)
Item Action: Approved
- * AP. Discussion/approval/disapproval of FY 20/21 Intergovernmental Agreement between Pima County and Pinal County, to incarcerate Pinal County's juvenile prisoners in the Pima County Adult Detention Complex. (Mark Lamb)
Item Action: Approved
- * AQ. Discussion/approval/disapproval for Award Agreement (No. 2020-VD-BX-0793) between the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the BJA FY 20 Coronavirus Emergency Supplemental Funding Program in the amount of \$63,379. This grant has been budgeted for FY 20/21. There is no impact on the General Fund. (Mark Lamb)
Item Action: Approved
- * AR. Discussion/approval/disapproval for the Amended Award Agreement (No. GFR-AZ911-20-008T) between the Arizona Department of Administration and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the Arizona Text to 9-1-1 Program. The amendment changes the term to begin on July 1, 2020, and terminate on June 30, 2025. The grant has been budgeted for FY 20/21. There is no impact on the General Fund. (Mark Lamb)
Item Action: Approved
- * AS. Discussion/approval/disapproval for Award Agreement (No. ADOA-AZ911-21-013) between the Arizona Department of Administration and the Pinal County Sheriff's Office, through the Pinal County Board of Supervisors for the 9-1-1 Grant Program in the amount of \$566,394. The program is designed to assist Public Safety Answering Points to perform activities related to the implementation and operation of their respective emergency telecommunication system. The grant has been budgeted for FY 20/21. There is no impact on the General Fund. (Mark Lamb)
Item Action: Approved
- * AT. Discussion/approval/disapproval of Interagency Service Agreement No. DT-ITG-2020-009 , AzTraCS use between the Arizona Department of Transportation (ADOT) and Pinal County through the Pinal County Sheriff's Department for the purpose of outlining responsibilities for the use of the software, state standard data entry forms, and associated data files, central-site database schema, XML Electronic Incident Data Submission (EIDS) and all associated documentation/instructions (collectively hereinafter referred to as Arizona Traffic and Criminal Software, or AzTraCS.) (Mark Lamb)
Item Action: Approved
- (5) Meeting of the Flood Control District Board of Directors. (Christopher Wanamaker/Scott Bender)
Item Action: Convened into Pinal County Flood Control District Agenda
- (6) Meeting of the Pinal County Library District Board of Directors. (Alex Conrad/Leo Lew)
Item Action: Convened into Pinal County Library District Agenda
- (7) Meeting of the Public Health Services District Board of Directors. (Shauna McIssac/Leo Lew)
Item Action: Convened into Pinal County Public Health Services District Agenda
- (8) Discussion/approval/disapproval to set the Clerk of the Board of Supervisors' salary to midpoint effective June 28, 2020, adhering to the FY 2019-2020 Pinal County Market Adjustment and Equity Compensation Plan approved by the Board June 17, 2020. (Mary Ellen Sheppard/Chairman Smith)
Item Action: Approved
- (9) **Public Hearing** and discussion/approval/disapproval in accordance with A.R.S. 42-17104 and A.R.S. 42-17107 (Truth in Taxation Hearing) of Resolution No. 070120-01-PCB for the adoption of the Pinal County FY 2020-2021 budget, beginning July 1, 2020, ending June 30, 2021, in accordance with A.R.S. 42-17105 in the amount of \$570,355,462 with a tax rate of \$3.7500. (Angeline Woods/Louis Andersen)
Item Action: Approved
- (10) Discussion/approval/disapproval of the FY 2020-2021 Pinal County Employee Compensation Plan, Across-the-Board Salary Adjustment which establishes guidelines for an across-the-board salary adjustment in order to compensate employees who meet or exceed performance standards; encourage recruitment and retention; and maintain consistency in the County's market position so that the County continues to have the engaged workforce needed to provide quality services to its residents. (Mary Ellen Sheppard/Louis Andersen)
Item Action: Approved
- (11) **Public Hearing** and discussion/approval/disapproval of the Amendments to the FY 2019 Annual Action Plan in order to accept and expend Community Development Block Grant - CARES Act funds in the amount of \$1,082,111. (Heather Patel/Lori Pruitt)
Item Action: Approved

- (12) **Public Hearing** and discussion/approval/disapproval of Resolution No. 070120-AQ1, a Resolution pursuant to Title 49 of the Arizona Revised Statutes, adopting proposed changes to local air quality rules. The changes include required revisions to local emissions reporting requirements for industrial sources. If approved, the proposed changes will be submitted to the Environmental Protection Agency through the Arizona Department of Environmental Quality as elements of the Arizona State Implementation Plan. Required notices have been published, posted and e-mailed, and the full text of the proposed changes was published online on March 18, 2020. The Board may choose to adopt the Resolution, approving all, part or none of the proposed changes. (Mike Sundblom/Himanshu Patel)
- Item Action: Approved**
- (13) **Public Hearing** and discussion/approval/disapproval of Resolution No. 070120-AQ2, a Resolution pursuant to Title 49 of the Arizona Revised Statutes, adopting proposed changes to local air quality rules. The changes include rescission of the Pinal County Hazardous Air Pollutants program. Required notices have been published, posted and e-mailed, and the full text of the proposed changes was published online on March 27, 2020. The Board may choose to adopt the Resolution, approving all, part or none of the proposed changes. (Mike Sundblom/Himanshu Patel)
- Item Action: Approved**
- (14) Executive Session pursuant to A.R.S. 38-431.03 (A)(3) for legal advice regarding COVID-19 related Federal, State, or County Programs and Pinal County's ability and options for slowing and controlling the spread of COVID-19 in Pinal County. (Chris Keller/Louis Andersen)
- Item Action: Convened into Executive Session**



MEMORANDUM FROM AIR QUALITY

Date: July 9, 2020

To: File

Thru:

Re: Link to Pinal County Board of Supervisors Public Hearing video for §3-1-103 rulemaking

From: Scott DiBiase

The link to the video of the Pinal County Board of Supervisors Public Hearing on the Pinal County Air Quality emissions reporting rulemaking (§3-1-103) is <https://pinalcountyz.swagit.com/play/07012020-565>.

SR



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Virginia Ross

DATE/TIME: 07/02/2020 0842
FEE: \$0.00
PAGES: 8
FEE NUMBER: 2020-063694

When recorded return to:
Clerk of the Board
Pinal County
P.O. Box 827
Florence, Arizona 85232

PINAL COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 070120-AQ1
PINAL COUNTY AIR QUALITY CONTROL DISTRICT

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PINAL COUNTY, ADOPTING CERTAIN REVISIONS TO THE PINAL COUNTY AIR QUALITY CONTROL DISTRICT RULES AND REQUESTING THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY SUBMIT THE REVISIONS TO THE ENVIRONMENTAL PROTECTION AGENCY AS AN ELEMENT OF THE ARIZONA STATE IMPLEMENTATION PLAN.

WHEREAS, the Pinal County Board of Supervisors ("Board") is empowered under A.R.S. §49-479 to adopt rules for the purpose of controlling the release of air contaminants within the County;

WHEREAS, the Environmental Protection Agency (EPA) revised the 8-hour ozone National Ambient Air Quality Standards (NAAQS) in 2015 (from 0.075 ppm to 0.070 ppm) and the ozone nonattainment area was expanded in Pinal County to cover Queen Valley and San Tan Valley ;

WHEREAS, on December 8, 2018, the EPA published a final rule on the implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 FR 62993). One of the Clean Air Act (CAA) requirements for a Marginal nonattainment area includes An Emissions Statement (CAA Section 182(a)(3)(B)).

WHEREAS, the EPA final rule on implementation of the 2015 ozone NAAQS required submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area (August 3, 2020);

WHEREAS, A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements.

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WHEREAS, Pinal County in coordination with stakeholders, EPA and Arizona Department of Environmental Quality (ADEQ) developed the proposed rule revisions (§3-1-103).;

WHEREAS, to the extent applicable, the District has complied with the notice-publication and other public notification requirements of A.R.S. §§49-471.04 and 49-479, and 40 C.F.R. §51-102, including a combined notice of proposed rulemaking and oral proceeding published online <https://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx> March 18, 2020 and in local newspapers;

WHEREAS, the proposed rule changes will go into effect on date of Board adoption;

WHEREAS, the elements of the final proposed changes in the County's air quality rules are set forth below in full;

THEREFORE, FOR THE PURPOSE OF PROTECTING AND PRESERVING THE QUALITY OF AIR WITHIN THE COUNTY IN A SENSIBLE AND ORDERLY MANNER, IT IS HEREBY RESOLVED BY THE BOARD TO:

1. **Adopt the Pinal County Air Quality Control District Code of Regulations changes reflected in the revised rule attached in Exhibit A.**
2. **Direct Pinal County Air Quality to submit the adopted rule (excluding §1-1-105) to the Arizona Department of Environmental Quality (ADEQ) with the request that it be submitted to the Environmental Protection Agency (EPA) for inclusion in the Arizona State Implementation Plan (SIP).**

Exhibit A

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

1. Chapter 1
 - a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
 - b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
 - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
2. Chapter 2
 - a. Article 1. (As amended 10/12/95).
 - b. Article 2. (As amended 5/14/97), excluding:
 - i. §2-2-090 (as amended 5/14/97)
 - c. Article 3. (As amended 10/12/95).
 - d. Article 4. (As amended 10/12/95).
 - e. Article 5. (As amended 10/12/95).
 - f. Article 6. (As amended 10/12/95).
 - g. Article 7. (As amended 10/12/95).
 - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
3. Chapter 3
 - a. Article 1. (As amended 5/14/97, ~~and 5/27/98, and 7/12/00, and 7/1/20~~), excluding:
 - i. §3-1-020
 - ii. §3-1-045
 - iii. §3-1-080
 - iv. §3-1-100
 - v. §3-1-150 (as amended 5/14/97)
 - vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - d. Article 8. (As amended 10/12/95 and 10/27/04).
4. Chapter 4
 - a. Article 1. (As amended 2/22/95).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)

8. Wp1 - 06/04/2020 Annual Board Sessions Item 10 - Questionnaire 3-1-

13 BOS Item 10 - Q&A Q&A dated 06/04/2020 3-1-13 BOS RESOLUTION 2020-001

FINA 7/1/2020

- iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. §4-9-320 (As amended 6/3/09)
 - ii. §4-9-340 (As amended 6/3/09)
- 5. Chapter 5
 - a. Article 13. (as amended 11/30/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
 - a. Article 20. (as amended 11/30/16)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
 - 1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
 - 2. "modification," as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
 - 1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
 - 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 - 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 - 4. Operate as an element of the SIP, at least insofar as they require a "certification";
 - 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 - 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
 - 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
 - 1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
 - 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
 - 3. Chapter 3, Article 8 (2/22/95) *Open Burning*

4. [Reserved]
5. [Reserved]
6. [Reserved]
7. [Reserved]
8. [Reserved]
9. [Reserved]
10. [Reserved]
11. [Reserved]
12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*

- 3c. The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:
- ai. Any single regulated air pollutant in a quantity greater than one ton.
 - bii. Any combination of regulated air pollutants in a quantity greater than 2½ tons.
- d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
3. An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.
4. The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.
- C5. ~~The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission or data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.~~
The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NOx or VOC if the NOx or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
- a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.

- b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
- c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
- d. When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
- e. When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).
- f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

IN WITNESS WHEREOF, the undersigned, in accord with the vote of the Pinal County Board of Supervisors as duly reflected in the minutes of the Board meeting, have executed this document on behalf of the Board of Supervisors on this 1st day of July, 2020.

PINAL COUNTY, a political subdivision of the State of Arizona,

By: _____

Chairman of the Board of Supervisors

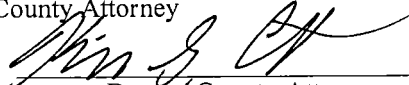
ATTEST: _____

Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Kent Volkmer,
Pinal County Attorney

By:



Deputy County Attorney



PINAL COUNTY

Pinal County Air Quality Control District

**§3-1-103. Annual Emissions Inventory Questionnaire and
Emissions Statement**

Notice of Final Rulemaking

Pursuant to A.R.S. §49-471.07

Pinal County Air Quality Control

July 2, 2020

Published online at

<http://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx>

On July 2, 2020

1. Preamble

- A. The Pinal County Air Quality Control District (PCAQCD), an operating division of Pinal County, proposed that the Board of Supervisors (BOS) adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution.

Background – 2015 Ozone National Ambient Air Quality Standard (NAAQS)

In 2015, EPA revised the eight-hour ozone health based standard NAAQS from 0.075 to 0.070 parts per million. On June 4, 2018, EPA published a final rule which designated the Maricopa/Pinal nonattainment area as a Marginal Area for the 2015 eight-hour ozone NAAQS with an attainment date of August 3, 2021. The boundaries of the ozone nonattainment area for the 2015 ozone standard were expanded slightly (from the 2008 ozone NAAQS nonattainment area boundary) to the northeast and southeast to include the Tonto National Monument monitor in Gila County and the Queen Valley monitor in Pinal County. The new eight-hour ozone nonattainment area boundary encompasses 5,287 square miles. The Pinal County portion of the ozone nonattainment area is approximately 295 square miles and includes Apache Junction, Gold Canyon and portions of San Tan Valley (Figure 1).

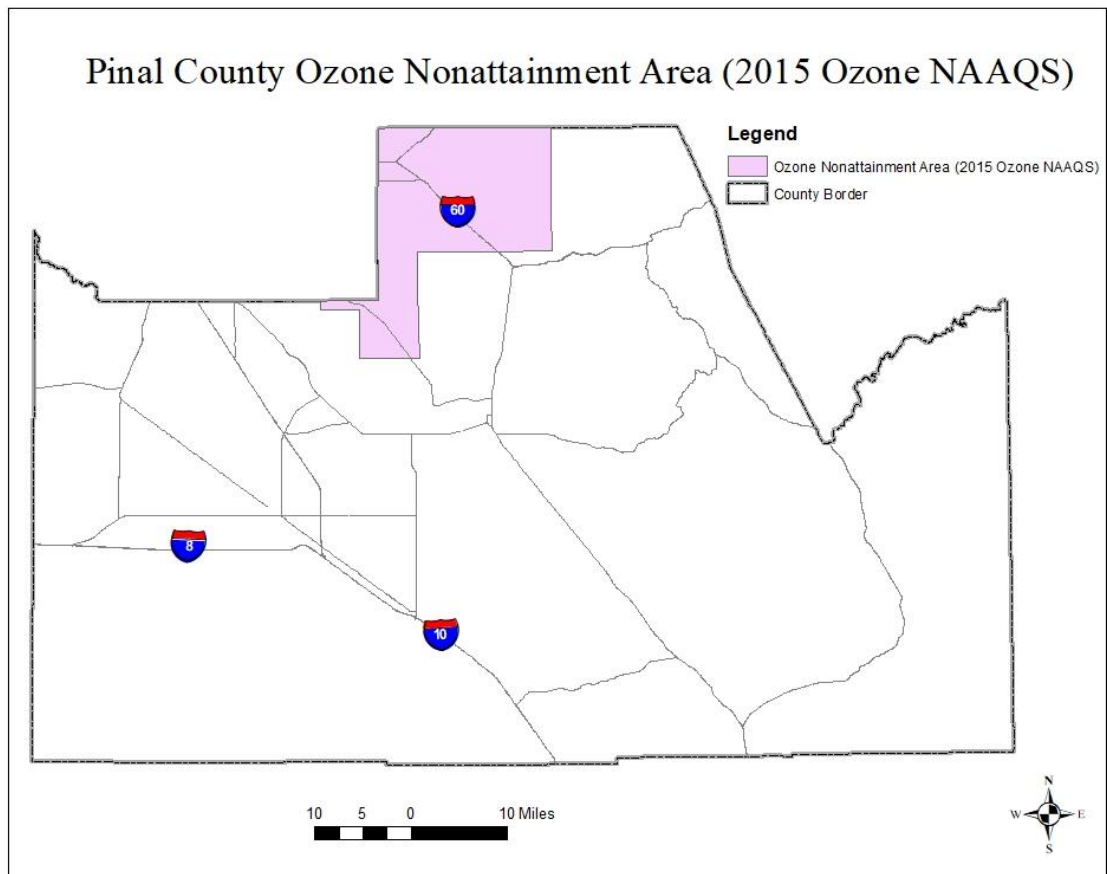


Figure 1. Pinal County portion of 2015 Ozone NAAQS Nonattainment Area

On December 6, 2018, The Environmental Protection Agency (EPA) published a final rule on the Implementation of the 2015 ozone NAAQS, Nonattainment Area State Implementation Plan Requirements (83 Federal Register 62,993). EPA assumes Marginal Areas will be in attainment of the ozone NAAQS within three years of designation without any additional control measures. However, the Clean Air Act (CAA) has the following requirements for Marginal eight-hour ozone nonattainment areas:

- An Emissions Statement – CAA Section 182(a)(3)(B)
- A Baseline Emissions Inventory – CAA Section 182(a)(1)
- A Periodic Emissions Inventory, No later than every three years until attainment of the standard – CAA Section 182(a)(3)(A)
- Corrections to the State Implementation Plan – CAA Section 182(a)(2)
- New Source Review – CAA Title I, Part D
- Offset Requirements – 1.1 to 1 (Ratio of Total Emissions Reductions of Volatile Organic Compounds to Total Increased Emissions) – CAA Section 182(a)(4)
- Meet Transportation Conformity Requirements – CAA Section 176(c)

An Emissions Statement – CAA Section 182(a)(3)(B)

As described in the CAA Section 182(a)(3)(B), the State is required to submit a revision to the Arizona State Implementation Plan (SIP) that requires the owner or operator of each stationary source of nitrogen oxides or volatile organic compounds to provide the State with a statement showing the actual emissions of nitrogen oxides or volatile organic compounds from that source. The EPA final rule on implementation of the 2015 ozone NAAQS requires submission of emissions statement regulations within two years from the effective date of designation to a nonattainment area. A subsequent review by EPA on the emissions statement rules of the various air quality agencies in Arizona found that the existing emissions statement rules, including Pinal County's (§3-1-103 – Annual Emissions Inventory Questionnaire) were out of date and not fully aligned with the CAA Section 182(a)(3)(B) requirements [Federal Emissions Statement Requirements]. Therefore the revised emissions statement regulation for the Pinal County portion of the Phoenix ozone NAA is due to EPA by August 3, 2020. Thus necessitating this State Implementation Rule (SIP) rulemaking.

The amended rules are identified below and include an amendment to §1-1-105 (not to be included with the SIP submittal) which requests that the Arizona Department of Environmental Quality (ADEQ) submit the adopted rule §3-1-103 to EPA with the request that it be included in the Arizona SIP.

The remaining marginal area requirements (baseline emissions inventory, periodic emissions inventory, corrections to the state implementation plan, New Source Review,

Offset Requirements and transportation conformity) will be addressed in the Maricopa Association of Government's 2020 Eight-Hour Ozone Plan – Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area and as such were not part of this rulemaking.

Section Affected

Rulemaking Action

§1-1-105. SIP List..... Amend

§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement Amend

B. Those wishing further information regarding any aspect of this rulemaking may contact Scott DiBiase, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 85132, 520-866-6929, scott.dibiase@pinal.gov.

C. The rulemaking process consisted of an initial administrative rule development process which included a combined notice of proposed rulemaking and oral proceeding (posted online on March 18, 2020), a 30 day public comment period, a stakeholder meeting held on May 5, 2020 and an oral proceeding before the Control Officer conducted on May 12, 2020. Written comments were due prior to the close of the comment period, which was the close-of-business on the day of the Oral Proceeding (no comments were received). The final step in the rule adoption process was a public hearing before the Board of Supervisors on July 1, 2020.

D. The adopted rule revisions include the following:

1. Revision of §1-1-105 to include the amended date for §3-1-103. §1-1-105 is a list designating which Board approved rules (and their corresponding adoption dates) are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP. PCAQCD rule §1-1-105 is not to be included in the SIP submittal.

2. Adopted changes to §3-1-103

§3-1-103.A – Emissions Inventory Questionnaire and Emissions Statements Requirements –addition of new section which details the requirements of the annual emissions inventory questionnaire and emissions statements.

§3-1-103.A.1 – Addition of clarifying language defining what sources are subject to the emissions inventory questionnaire and emissions statement requirements, namely Class I (Major sources/Title V's), Class II or Class III (minor/area sources such as gas stations and surface coating facilities) and the frequency by which they are to report (each year).

§3-1-103.A.2 –Addition of clarifying language which details the electronic or paper format for the emissions inventory questionnaire and emissions statement. Additionally, new language to define what time period the emissions sources are reporting for (i.e. for the previous calendar year). New language referencing regulated air pollutants along with a new subsection (B) which details the emissions

estimation methodology used to measure, calculate or estimate the actual annual quantity of emissions. New language on the certification, by a responsible official of the truth, accuracy, and completeness of the submitted emissions inventory questionnaire and emissions statement, pursuant to CAA Section 182(a)(3)(B).

§3-1-103.A.3 – A new subsection to address what constitutes the need for a source to do an amendment to its annual emissions inventory questionnaire (when a source discovers or receives notice that incorrect or insufficient information was submitted originally) and when such an amendment is to be turned in (within two years of the original submittal). New language as to the source's potential fee change (increase or credit) due to the change in the emissions inventory questionnaire. New language regarding not subjecting the emissions source to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information wasn't due to will neglect.

§3-1-103.A.4 – A new subsection adding the option for the Control Officer to require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to Arizona State Revised Statutes related to monitoring (A.R.S. §49-476.01), Federal Hazardous Air Pollutant Program (A.R.S. §49-480.03) and County Program for Control of Hazardous Air Pollutants (A.R.S. §49-480.04).

§3-1-103.A.5 – Pursuant to CAA Section 182(a)(3)(B)(ii) addition of subsection that gives the Control Officer (with EPA approval) the capability of waiving the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons per year of NO_x or VOC, if the class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP emissions inventories (actual emissions calculated with EPA-approved emissions factors or other methods acceptable to EPA).

§3-1-103.B – Emissions Estimation Methodology

Addition of subsection B – which details the methods at which sources shall quantify actual emissions (i.e. continuous emissions monitors, source performance tests, emissions factors such as AP-42, emissions factors from material balance, etc.).

- E. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study (See contact information in subsection B above), all data underlying each study, and any analysis of each study and other supporting material.

None

- F. Economic, small business and consumer impact statement

The following discussion addresses each of the elements required for an economic, small business and consumer impact state under A.R.S. §41-1055.

This rulemaking adopted amendments to Chapter 3, Article 1, Section 103, Annual Emissions Inventory Questionnaire and Emissions Statement.

The costs to the implementing agency (Pinal County Air Quality) will be minimal since the department already conducts annual emissions inventory questionnaires for all permitted facilities. The low Pinal County Air Quality permitting threshold (1 ton per year (5.5 lbs/day)) encompasses virtually all industrial/commercial polluting (from an air quality emissions perspective) activities within Pinal County. Therefore all of the facilities permitted by Pinal County Air Quality have been reporting their respective estimated emissions annually (semi-annually in many cases) since the original adoption of rule §3-1-103 in November, 1993. This rulemaking and the addition of the federally required emissions statement is not expected to add any new costs to businesses in Pinal County as they have already built in the annual (and semi-annual) reporting requirements into their normal business practices.

G. The adopted changes took effect on July 1, 2020.

H. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources at this time.

I. Persons may obtain a full copy of the adopted rule or existing rules at:

Pinal County Air Quality Control District
31 North Pinal St., Building F.
P.O. Box 987
Florence, AZ. 85132

<http://www.pinalcountyz.gov/AirQuality/Pages/home.aspx>

J. A list of all previous notices related to this proposed rulemaking:

§3-1-103. Annual Emissions Inventory Questionnaire and Emissions Statement. Combined Notice of Proposed Rulemaking and Notice of Oral Proceeding – posted online (<https://www.pinalcountyz.gov/AirQuality/Pages/Rulemaking.aspx>) March 18, 2020.

2. The full text of the adopted changes follows:

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

1. Chapter 1

- a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
- b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
- c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")

2. Chapter 2

- a. Article 1. (As amended 10/12/95).
- b. Article 2. (As amended 5/14/97), excluding:
 - i. §2-2-090 (as amended 5/14/97)
- c. Article 3. (As amended 10/12/95).
- d. Article 4. (As amended 10/12/95).
- e. Article 5. (As amended 10/12/95).
- f. Article 6. (As amended 10/12/95).
- g. Article 7. (As amended 10/12/95).
- h. Article 8. (As amended 5/18/05, as amended 1/7/09).

3. Chapter 3

- a. Article 1. (As amended 5/14/97, ~~and 5/27/98, and 7/12/00, and 7/1/20~~), excluding:
 - i. §3-1-020
 - ii. §3-1-045
 - iii. §3-1-080
 - iv. §3-1-100
 - v. §3-1-150 (as amended 5/14/97)
 - vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
- b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
- c. Article 3. (As amended 10/12/95, 5/27/15).
- d. Article 8. (As amended 10/12/95 and 10/27/04).

4. Chapter 4
 - a. Article 1. (As amended 2/22/95).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)
 - iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. §4-9-320 (As amended 6/3/09)
 - ii. §4-9-340 (As amended 6/3/09)
5. Chapter 5
 - a. Article 13. (as amended 11/30/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
 - a. Article 20. (as amended 11/30/16)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
 1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
 2. "modification," as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
 1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 4. Operate as an element of the SIP, at least insofar as they require a "certification";
 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or

7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
 3. Chapter 3, Article 8 (2/22/95) *Open Burning*
 4. [Reserved]
 5. [Reserved]
 6. [Reserved]
 7. [Reserved]
 8. [Reserved]
 9. [Reserved]
 10. [Reserved]
 11. [Reserved]
 12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
 13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
 16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
 17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
 18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
 19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
 20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
 21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
 22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
 23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*

3-1-103. Annual emissions inventory questionnaire and emissions statement

A. Emissions Inventory Questionnaire and Emissions Statement Requirements

- A1.** Each Class I, Class II or Class III source ~~Every source~~ subject to a permit requirement under this chapter, or who obtains an authorization to operate under this chapter, shall complete and submit

to the Control Officer an annual emissions inventory questionnaire and emissions statement. The questionnaire and emissions statement ~~is due~~ shall be submitted each year by March 31 or ninety days after the Control Officer makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.

~~B2.~~ The emissions inventory questionnaire and emissions statement shall be on an electronic or paper form provided by the Control Officer and shall include the following information for the previous calendar year:

~~1a.~~ The source's name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.

~~2b.~~ Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.

~~3c.~~ The actual annual quantity of emissions, including documentation of the method of measurement, calculation or estimation, determined pursuant to subsection B, of the following regulated air pollutants:

~~ai.~~ Any single regulated air pollutant in a quantity greater than one ton.

~~bii.~~ Any combination of regulated air pollutants in a quantity greater than 2½ tons.

~~d.~~ A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

~~3.~~ An amendment to an annual emissions inventory questionnaire, containing the documentation required by subsection (A)(2), shall be submitted to the Control Officer by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Control Officer by a previous emissions inventory questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Control Officer shall require the additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.

~~4.~~ The Control Officer may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§49-476.01, 49-480.03 and 49-480.04.

~~C5.~~ The Control Officer may waive a requirement that specific information or data be submitted in the annual emissions inventory questionnaire for sources requiring Class II or Class III permits if the Control Officer determines that the submission of data would be unnecessary or unreasonable for a particular source or category of sources and instead may require alternative information from which emissions may be determined.

The Control Officer may, with EPA approval, waive the emissions statement requirement for classes or categories of stationary sources with facility-wide actual emissions of less than 25 tons/year of NOx or VOC if the NOx or VOC emissions from such class or category is included in the ozone nonattainment Base Year and Periodic Ozone SIP Emission Inventories, and the actual emissions were calculated using EPA-approved emission factors or other methods acceptable to the EPA pursuant to CAA Section 182(a)(3)(B).

B. Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
 - a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR Part 60.
 - b. When sufficient data pursuant to Subsection (B)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to §3-1-170 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
 - c. When sufficient data pursuant to subsection (B)(1)(a) or (b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, Including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Pinal County Air Quality Control District and can be obtained from the Government Printing Office, 732 North Capital Street, NW, Washington, D.C., 20401, telephone (202)512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emissions Factors.
 - d. When sufficient data pursuant to subsections (B)(1)(a) through (c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
 - e. When sufficient data pursuant to (B)(1)(a) through (d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (B)(1)(a) through (d).
 - f. Actual quantities of emissions calculated under subsection (B) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

8. Technical Materials



**“SIP Submittal” Checklist Pursuant to 40 CFR Part 51, Appendix V
Re: Pinal County Rule Revisions of July 1, 2020**

July 9, 2020

Note - The “Section” references in this document refer to the sections of the submittal package as conveyed to the designee of the Governor of the State of Arizona, which package the District anticipates will be transferred to the EPA Administrator. This submittal reflects rule changes adopted by the Pinal County board of Supervisors on July 1, 2020.

2.1 Administrative Materials

- a. Formal Letter
 - See front section of SIP Package, prior to Section 1
- b. Evidence of Adoption
 - Resolution No. 070120-AQ1 – See Section 7
- c. Evidence of Authority
 - Kevin Costello July 9, 2020 letter Re: Authority to adopt Resolution No. 070120-AQ1 – See Section 2
- d. Copy of the rule
 - 1. See Section 7 which includes Resolution No. 070120-AQ1, adopting the changes embodied in the underlined/strike-through copy of the affected provisions of the Code.
 - 2. Revisions affecting the SIP, or possibly affecting the SIP, are identified in §1-1-105.
 - 3. See Section 3, which comprises a courtesy codification “clean copy” rules as amended, identified as “CODE OF REGULATION “CLEAN COPY” AS AMENDED JULY 1, 2020”



SIP Submittal Checklist under 40 CFR Part 51 Appendix V
Regarding Rule Revisions Adopted on July 1, 2020
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- See Section 4, which comprises a courtesy codification “Strikeout copy” rules as amended, identified as “CODE OF REGULATION “STRIKEOUT COPY” AS AMENDED JULY 1, 2020”.
- e. Evidence of conformity with procedure under state law, which notice and hearing requirements arise under A.R.S. §§49-112 and 49-479
 - Copy of public notices
 1. See Section 5
 - Certification that hearing was held
 1. Signed Resolution No. 070120-AQ1 confirming that the Pinal County Board of Supervisors held the public hearing and approved the resolution. – See Section 7
 2. Agenda and Board of Supervisors Regular Session Action Summary of the July 1, 2020 public hearing – See Section 7
 3. Link to Board of Supervisory Public Hearing video included in July 9, 2020 memo from Scott DiBiase to File – See Section 7
- f. Evidence of public notice in conformity with EPA procedures, which notice requirements arise under 40 CFR Subpart I
 - See Section 5
- g. Evidence of public hearing in conformity with EPA procedures, which hearing requirements arise under 40 CFR Subpart I
 - See Section 7
- h. Compilation of comments
 - See Section 6



SIP Submittal Checklist under 40 CFR Part 51 Appendix V
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2.2 Technical Support

- a. Identification of pollutants affected.
 - The emissions inventory questionnaire and emissions statement rule affect any regulated air pollutant (i.e. precursors of ozone - Volatile Organic Compounds and Nitrogen Oxides).
- b. Identification of attainment/nonattainment area affected
 - Phoenix-Mesa Ozone Nonattainment Area (2015 Ozone NAAQS).
- c. Quantification of emission changes
 - The “emission changes” from these SIP-affected provisions of this package haven’t been quantified.
- d. Demonstration of protection for
 - NAAQS
See MAG 2020 Eight-Hour Ozone Plan – Marginal Area Requirements for the Maricopa Nonattainment Area, July 2020
 - PSD increments
Not applicable
 - RFP demonstrations
Not applicable
 - Visibility
Not applicable
- e. Modeling information
 - Not applicable; no-redesignation is being sought



SIP Submittal Checklist under 40 CFR Part 51 Appendix V
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- f. Showing the emission limitations are based on continuous emission reduction technology.
 - Not Applicable
- g. Evidence that plan limitations are enforceable as a practical matter
 - Not Applicable
- h. Compliance and enforcement strategies, including explanation of how compliance will be determined in practice.
 - Kevin Costello July 9, 2020 letter Re: Authority to adopt Resolution No. 070120-AQ1 – See Section 2
- i. Special economic and technological justifications
 - EPA has not defined any applicable requirements



SIP ENFORCEABILITY CHECKLIST

Re: Pinal County Rule Revisions of July 1, 2020

July 9, 2020

Based on information and belief, the “SIP Enforceability Checklist” is not applicable with regard to the subject SIP submittal. This document is being presented simply to affirm that the lack of a substantive “Checklist” reflects design, rather than inadvertent omission of such a document.

The “SIP Enforceability Checklist” pertains to source-specific, or “prohibitory,” rules.

9. Digital Copy



MEMORANDUM FROM AIR QUALITY

Date: July 10, 2020

To: File

Thru:

Re: Digital copy of SIP package for §3-1-103 rulemaking

From: Scott DiBiase

A digital copy of the full SIP submittal package for the §3-1-103 rulemaking is located within the Pinal County Air Quality Control District computer network (S:\wp11\rulemake\2020\Annual Emissions Inventory Questionnaire 3-1-103\SIP\Documents\PCAQCD 3-1-103 SIP Rulemaking FINAL.pdf). Additionally, an electronic copy was emailed to the Arizona Department of Environmental Quality (ADEQ) via Joseph Martini (Value Stream Manager) – martini.joseph@azdeq.gov on July 10, 2020.

AIR QUALITY